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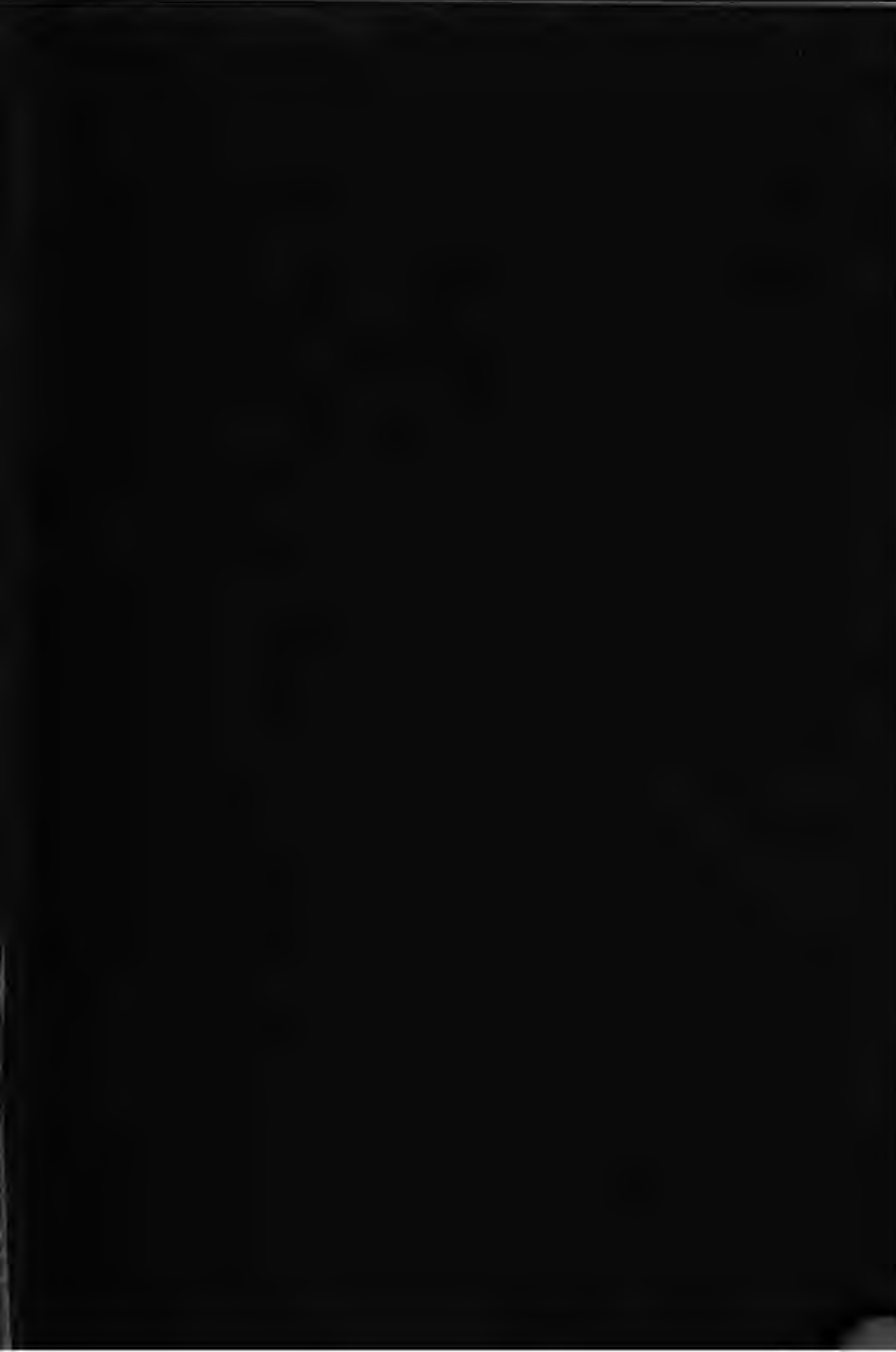


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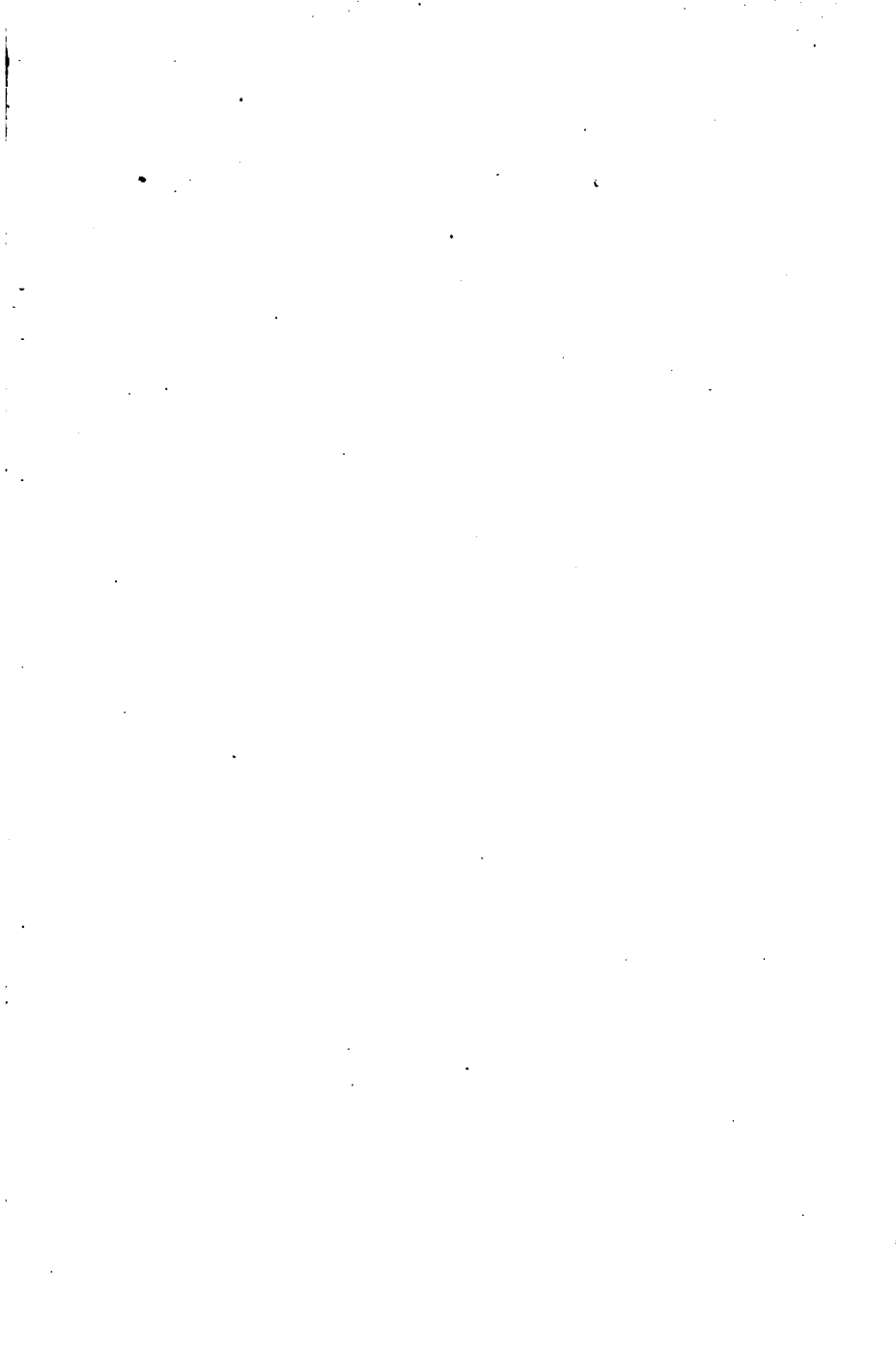
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MARY STEWART

M A R Y S T E W A R T

A BRIEF STATEMENT
OF THE
PRINCIPAL CHARGES WHICH HAVE BEEN
BROUGHT AGAINST HER
TOGETHER WITH
ANSWERS TO THE SAME

BY THE LATE
JOHN HOSACK
BARRISTER-AT-LAW

WILLIAM BLACKWOOD AND SONS
EDINBURGH AND LONDON
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INTRODUCTORY NOTICE.

THE following pages contain an outline of the leading accusations which for three centuries have been brought against the character and conduct, public and private, of Mary Stewart, Queen of Scotland. To these accusations are appended the answers which may be made in the Queen's vindication. They were drawn up by the late Mr Hosack shortly before his lamented death, with the view of contributing to the solution of a controversy which he felt would excite public attention at the present time. Although these pages did not enjoy the advantage of receiving his final revision, they exhibit abundant proofs of his critical ability, his legal acuteness, and his thorough mastery of the subject which he had undertaken to investigate.

It will be observed that this little volume ter-

minates abruptly. The latter part was written by my late brother about 20th October last. He sat in Court at Clerkenwell on the 24th, 25th, and 26th of that month, and on Friday 28th, at Southwark, on which day he was taken ill. Gradually becoming worse, he died on Thursday, the 3d November, at noon.

JAMES HOSACK.

ELLERSLIE, KIRKCUDBRIGHT.

MARY STEWART.

CHAPTER I.

THE history of Mary Stewart has been the subject of debate for upwards of three hundred years, and, if we may judge by the number and variety of the works which have appeared in the present age, the controversy is by no means ended. It is my intention, in the following pages, to place before the reader the main questions at issue between the advocates and the adversaries of this celebrated Queen, and to state, as succinctly as the nature of the subject will admit, the kind of evidence adduced upon both sides of the case. I may add that I believe it to be impossible for any man to discuss this "never-ending still-beginning" controversy without some bias on the one side or on the other. Absolute impartiality, from the very nature of the subject, seems to be unattainable, and I make no

pretence to it myself. But I will endeavour to state concisely but fairly the evidence adduced on both sides, and leave the reader to draw his own conclusion.

During the greater part of the sixteenth century, Scotland, although nominally a monarchy, was in reality dominated by an oligarchy the most turbulent and corrupt in Europe. The nobility of England had in times past done essential service in protecting and extending the liberties of the people. They had extorted the Great Charter from King John, and they had successfully opposed the exorbitant pretensions of Edward I. We find no such display of patriotism among the nobles of Scotland. They acted a very equivocal part in the great struggle for national independence; and when not at war with England, were usually engaged in feuds amongst themselves, or in insurrections against their sovereign. Their rebellious spirit had proved fatal to Mary's father, and during her absence in France they had arrogated to themselves the power of disposing of her crown by making a formal offer of it to Elizabeth, on condition of her marrying the Earl of Arran. Mary was only nineteen years old when she returned to Scotland, after the death of her husband Francis II., and as the great majority of her subjects had by this time adopted the Reformed religion, she wisely allowed the Protestant leaders to administer the affairs of

the kingdom ; and during her widowhood, her illegitimate brother the Lord James, the Earl of Morton, and the celebrated Maitland of Lethington, continued to be her chief advisers. The Earl of Huntly, by far the most powerful of the Catholic nobles, naturally withdrew from a Court where his religious rivals were all-powerful. He was especially jealous of the Lord James ; and within a year of Mary's return to Scotland, he engaged in a rebellion in which he lost his life and a considerable portion of his vast possessions in the north. There were three subsequent rebellions during the Queen's residence in Scotland, but these were all the work of the Protestant faction, and in all of them her brother took a leading part. The first two were suppressed by the courage and prudence of the Queen, but the result of the last was to deprive her of her crown and eventually of her life.

The rebellion of Huntly had proved very profitable to the Lord James. He obtained a large portion of the Huntly estates, and he was created Earl of Murray. Until, in fact, the marriage of the Queen with Lord Darnley, he may be said to have been the virtual ruler of Scotland. But under the pretext that his religion was in danger, he, in concert with the Duke of Chatelherault and other Protestant nobles, took up arms against his sister. He raised a considerable force in the west, and occupied Glasgow ; but the popularity of the Queen was such that the rebellion speedily collapsed.

Murray fled with his chief adherents to England, where, although he had been secretly abetted and supported by Elizabeth, she, with characteristic duplicity, denounced him to his face as a worthless traitor.

The secret support afforded by Elizabeth and her Ministers to Murray's rebellion is easily explained. In the first place, Mary, on her marriage with the Dauphin Francis, had assumed the arms of England, proclaiming thereby that she was the true successor of Mary Tudor. It was under the advice of her father-in-law, Henry II. of France, and of her maternal relatives of the house of Guise, that she had taken this most impolitic step. But although she laid aside the arms of England as soon as she became a widow, it was an incident never to be forgotten by Elizabeth and her Ministers; for it was an imputation on the legitimacy of the English Queen. In the second place, Mary had never signed the Treaty of Edinburgh, which Sir William Cecil had artfully framed to exclude her from the English succession. We need not be surprised, therefore, that Elizabeth and her Ministers considered that the Scottish Queen, as the next heir of the English crown, might one day prove a formidable enemy, and that they naturally regarded the Protestant leaders as the true allies of England.

Some months after Murray's rebellion, a Parliament was summoned to meet in Edinburgh. As the punishment of the rebel lords would necessarily

form a prominent subject for discussion, it was of the utmost consequence to them that this meeting should not take place. A plot accordingly was formed, to which Darnley was weak enough and wicked enough to become a party. Mary, on her marriage, had, in the warmth of her affection, bestowed on him the title of King. But not satisfied with this title, to which he appears to have had no constitutional right, he aspired to the "crown matrimonial," which would have enabled him to retain the royal dignity during his life. David Riccio, the Queen's secretary for French correspondence, had been a steady friend of Darnley, and had done his best to bring about his marriage with the Queen, but he was opposed to his obtaining the crown matrimonial, and this opposition speedily effaced in Darnley's mind all recollection of past services. In order to prepare the minds of the people for this fresh plot, it was rumoured that Riccio was an emissary of the Pope, and that the true religion was in danger. It was finally resolved that Riccio should be murdered, and, to prevent the forfeiture of the rebel lords, that the Parliament should be forthwith dissolved. Bands were accordingly executed, according to the custom of the age, by Darnley on the one hand, and Murray and his adherents on the other; he engaging to protect them from the consequences of their rebellion, and they engaging to obtain for him the crown matrimonial, which would have enabled him

to retain the crown, even in the event of the Queen's death.¹

A serious charge has been made against the Queen at this time, on the authority of more than one eminent historian. It has been alleged, that notwithstanding her solemn promise to allow her subjects the free exercise of their religion, she had, at the instigation of the Pope and the King of Spain, become a party to the famous Catholic League of 1565, which had for its object 'the overthrow of Protestantism throughout Europe. It arose from an erroneous statement in a letter of Randolph, which in a subsequent letter he withdrew.

The fact appears to be that she was invited, and probably urged, to join the League. But she refused to break the promise she had made to her Protestant subjects. The Bishop of Dunblane does not hesitate to assert that her refusal to sign the League was the cause of all her subsequent misfortunes; for if she had done so, she would have been supplied by her allies with abundant means to overcome all her enemies.

We have ample evidence not only that Elizabeth's Ministers were aware of this nefarious plot against Riccio, but that they anxiously desired its

¹ The original of the band is in the charter-chest of the Earl of Leven, and is entitled, "Ane band made by my Lord of Murray and certain other noblemen with him before the slaughter of Davie." It is signed by Murray, Glencairn, Argyll, and Rothes, and by Lord Boyd and Lord Ochiltree, the father-in-law of John Knox.—Maitland Club Miscellany, 3.

success, as the best means of restoring to power their ally, the Earl of Murray, and his friends. 'In a letter addressed by Thomas Randolph, Elizabeth's Minister in Scotland, to the Earl of Leicester, on the 13th of February, he expresses himself as follows: "Speaking of Darnley and his father, the Earl of Lennox, I know that there are practices in hand contrived between the father and son to come to the crown against her will. I know that if that take effect which is intended, David, with the consent of the king, will have his throat cut within these ten days. *Many things grievouser and worse than these are brought to my ears; yea, of things intended against her own person,* which, because I think better to keep secret than to write to Mr Secretary, I speak of them but now to your lordship."¹

A few days after the date of this letter Randolph was detected supplying money to an emissary of Murray, and in consequence was ordered to leave Scotland. He repaired to Berwick, where the Earl of Bedford resided as Warden of the Marches. On the 6th of March, Bedford and Randolph jointly addressed a letter to their mistress, informing her "that a matter of no small consequence was about to take place in Scotland." They added, "We hope that by this means my Lord of Murray shall be brought home without your Majesty's further suit or means, to the Queen his sovereign, and therefore

¹ See the letter in Tytler, vol. vi. p. 334.

we have thought it good to *stay the sending of your Majesty's letters in his behalf.*"¹ We may assume from the tenor of this letter that Bedford and his colleague felt confident of the success of the conspiracy.

On the following day, the 7th of March, the Parliament was opened by the Queen in person. Darnley, as might have been expected under the circumstances, refused to be present. The only business of importance transacted on the occasion was the summoning of the rebel lords to appear on the 12th of March, under pain of the forfeiture of their titles and estates.

To defeat this measure, the conspirators resolved to proceed to the execution of their plot, and on the evening of Saturday, the 9th of March, Riccio was barbarously murdered—it may be said, before the eyes of the Queen, for the first blow was struck in her presence.² In pursuance of the scheme, Murray, who had been residing for some time previously at Newcastle, made his appearance in Edinburgh on the day after the murder. The Parliament was dissolved, and the Queen, then in the sixth month of her pregnancy, was detained a close prisoner in her own palace. One purpose of the conspirators had thus been accomplished. They

¹ Tytler, vol. vii. p. 20. The original is in the Record Office.

² Melvill, who was at Holyrood at the time, says, "For she being big with child, it appeared to be done to destroy both her and her child, *for they might have killed the said Riccio in any other part at any time they pleased.*"—Memoirs, 66.

had saved the rebel lords from the ruin which threatened them. But how were they to justify the outrage which had been perpetrated in the presence of the Queen? How were they to justify her detention as a prisoner? There can now be no question upon this point. It was intended to represent Riccio as her paramour, and to deprive her of her crown on the ground of her adultery. But Darnley, who had been a mere tool in the hands of the conspirators, speedily gave the lie to this foul charge by escaping with his wife from the band of assassins by whom they were surrounded. They left Holyrood on the third night after Riccio's murder, and arrived in safety at the castle of Dunbar, some twenty miles distant. They were there quickly joined by the feudal militia of the Border counties; to the number, it is said, of eight thousand. The conspirators in their turn took to flight, and the Queen and her husband returned in triumph to Edinburgh.

CHAPTER II.

DARNLEY had deserted his associates when the success of their scheme seemed assured, and in this ruthless age to betray a confederate was a crime never to be forgiven. They revenged themselves in the first instance by disclosing to the Queen his treachery to her as well as to themselves. Her distress at this discovery has been touchingly described by those who witnessed it;¹ and surrounded as she was by unknown dangers, we need not be surprised that she seriously entertained the design of abandoning her unruly kingdom and retiring to France. But to this project Catherine de Medici, who never loved her daughter-in-law, was strenuously opposed, and it was necessarily abandoned.

What was the attitude meanwhile of Elizabeth's Ministers? They had notoriously abetted the rebel lords in their treason. They had secretly supplied them with money, and they knew that their restoration was the avowed object of the conspiracy. But

¹ See Melvill's Memoirs.

we now know that there was another purpose in view beyond the relief of the rebel lords, and that was the ruin of the Queen. With this object Cecil addressed a letter to the French Ambassador in London. The letter has not been found, but we clearly learn the nature of its contents from the reply of the French Ambassador, which is preserved in the Record Office. Paul de Foix had been ambassador in London for several years, and he seems to have been on very friendly terms with the English Secretary. He says, in his reply to Cecil, that his letter had been brought to him by a special messenger in the middle of the night, and that he was at first afraid that it brought tidings of the death of the Queen of Scots. "And yet," he continues, "what could be more dreadful than that a base, deformed slave, seized by her husband in the very act of defiling the Queen, and torn from her reluctant arms to be slain by his followers, who were roused to fury at the indignity of the deed?" He adds, "I wished well to that Queen, and I am sorely grieved that she has thus fallen. For there was much in her that was noble, and her virtues might have proved a blessing as well to her subjects as to Christendom. But thus, alas! are wont to fall the deserters from the true religion, lured by the enemy of God to their destruction; for it is written that 'He holdeth captive the minds of the wicked,' " &c.

Cecil well knew that De Foix was inclined to

the Huguenot doctrines, and would on that account more readily give credit to this most false and slanderous account of Riccio's death. Nor can we for a moment doubt that Cecil himself knew it to be utterly false. The letter is dated the 23d of March, and he and his colleagues knew weeks before, from the correspondence of Randolph and Bedford, that Riccio was to be murdered, and that Murray was expected back in Scotland. It is clear, from the horror expressed by De Foix, that he implicitly believed the scandalous story told by Cecil, and the motive of the latter in telling it is no less clear. If the plot had succeeded, and the Queen had been deposed, her criminal intimacy with Riccio would have been alleged as the cause. The story was told to De Foix that he might spread the scandal through Christendom. But the schemes of the conspirators were utterly defeated by the intrepid conduct of the Queen and the tardy repentance of her worthless husband. A twelvemonth later a similar scandal was spread abroad respecting the Queen and the Earl of Bothwell, and unfortunately with more success.

Before her return to Edinburgh, Mary had received a letter from her brother repudiating in the strongest language all connection with the men who had committed "the late atrocious murder"; and yet he had been the first to sign the murderous bond, at the very time he was entreating his English friends to protect and succour the murderers.

On the 27th of March, Bedford and Randolph write to Cecil as follows: "My Lord of Murray, by a special servant sent unto us, desireth your honour's favour of these noblemen *as his dear friends, and such as for his sake* hath given this adventure;"¹ then follow the names of Morton, Ruthven, Lindsay, and the rest. Mary was imprudent enough to receive once more into her confidence the brother who had thus twice attempted to deprive her of her crown.

Mary gave birth to a prince—afterwards James I. of England—on the 19th of June following, and for some time previous to that event she appears to have been living on affectionate terms with her husband.² But this state of things was, unhappily, of short duration; for in the autumn of this year his conduct became so strange that, while she was residing at Craigmillar, near Edinburgh, a proposal was made to her, on the part of Murray's faction, that she should obtain a divorce. To this she refused assent—on the ground, apparently, that any such proceeding might prejudice the rights of her son. Upon this Maitland, who had made the proposal on the part of his colleagues, spoke as follows: "Do not imagine, Madam, that we, the principal nobility of the realm, shall not find the

¹ Sir H. Ellis's *Letters on English History*. First Series, vol. ii. p. 220.

² See her bequests to him previous to her confinement. Queen Mary's Inventories, by the late Joseph Robertson, p. 33.

means of *riding your Majesty* of him without prejudice to your son; and albeit my Lord of Murray here present be little less scrupulous for a Protestant than your Grace is for a Papist, be assured that he will *look through his fingers* and behold our doings, saying nothing to the same." To this mysterious speech the Queen replied: "I will that ye do nothing through which any spot may be laid on my honour or conscience; and therefore I pray you rather let the matter be in the state that it is, abiding till God of His goodness put remedy thereto."¹

We have every reason to believe that the men who made this significant proposal to the Queen were all subsequently implicated, either directly or indirectly, in Darnley's murder.

Two months later the prince was baptised at Stirling, in presence of the English, French, and Piedmontese ambassadors. Elizabeth, who had opposed, or pretended to oppose, the marriage of Darnley and Mary, was represented by the Earl of Bedford, who was the bearer of valuable presents to the Scottish Queen. Bedford was also instructed to intercede with her on behalf of the Earl of Morton and his accomplices in the murder of Riccio. Darnley, who naturally dreaded the return to Scotland of the men whom he had deserted and betrayed, was strenuously opposed to the pardon of Morton; and while the matter was in de-

¹ Keith, vol. iii. p. 293.

bate, he refused to be present at the baptism of the prince.

The French ambassador, Du Croc, had also been instructed to intercede for Morton; and on Christmas eve Mary signed a pardon for that nobleman, as well as for Lindsay, Ruthven, and upwards of seventy of their accomplices. The only persons exempted from the amnesty were George Douglas, who had stabbed Riccio in the Queen's presence, and another of the conspirators—Ker of Fawdon-side—who had held a pistol at her breast during the perpetration of the murder.

On the same day on which the pardon of Morton was signed, Darnley abruptly set out for Glasgow without even taking leave of the Queen. "His deportment is incurable," said Du Croc; "nor can there be ever any good expected of him."

George Buchanan, in his so-called 'Detection,' states that before Darnley quitted Stirling the Queen gave him a dose of poison, from which he never recovered; and in proof of this charge he quotes no less an authority than Cato the Censor: "When he," Darnley, "was preparing to depart for Glasgow," says the author of the 'Detection,' "she caused poison to be given him. You will ask by whom? In what manner? What kind of poison? Ask you these questions, as though wicked princes ever wanted ministers of their wicked treacheries. But still you press me perhaps, and still you ask me, who be these ministers? If this cause were to

be pleaded before grave Cato the Censor, all this were easy for us to prove before him that was persuaded that there is no adulteress but the same is also a poisoner. Need we seek for a more substantial witness than Cato, every one of whose sentences antiquity esteemed as so many oracles? Shall we not, in a manifest thing, believe him whose credit in things doubtful hath so oft prevailed? Lo! here a man of singular uprightness, and of most notable faithfulness and credit, beareth witness against a woman burning in hatred of her husband," &c.

This rare piece of rhetoric was published five years after the event, and in it Buchanan further states that for months before the baptism of the prince the Queen had been living in adultery with Bothwell, and in a manner so public and notorious, "as they seemed to fear nothing more *than lest their wickedness should be unknown.*" And where, it may be asked, was Buchanan at the time of the prince's christening? We know for certain that, he was at Stirling assisting at the entertainments given in honour of the event, and extolling to the skies in pedantic Latin verses the virtues of the sovereign whom, he tells us, every one knew at the time to be a monster of lust and cruelty. But this apparent contradiction is easily explained. Mary, after her return to Scotland, had been in the habit of reading Latin with Buchanan, and she had rewarded him very handsomely for his services. He

was still, no doubt, in expectation of further favours when he composed his verses at Stirling.¹ But where was Mary when he published his 'Detection' five years afterwards? She was a close prisoner in Sheffield Castle, and he was a pensioner of her mortal enemies. His obscene libel was, moreover, published in England and addressed to Englishmen, who were wholly unacquainted with the circumstances which it professed to describe. An accomplished Latin scholar, Buchanan was without doubt the most venal and unscrupulous of men.

As to the alleged intimacy of the Queen with Bothwell, we do not hear a whisper during the lifetime of Darnley. It was only after his murder that rumours to this effect were industriously spread abroad by the Queen's enemies.

Soon after his arrival in Glasgow, Darnley was attacked by smallpox. On hearing of his illness, Bedford says, the Queen sent her own physician

¹ Besides gifts of various kinds, she had appointed him Lay Abbot of Crossraguel, in Ayrshire. The following were the lines addressed to the Queen on the occasion of a masque which was performed at Stirling before the guests assembled at the prince's baptism:—

"Virtute, ingenio, Regina, et munere formæ
Felicibus felicior majoribus,
Conjugii fructu sed felicissima, cujus
Legati honorant exteri cunabula
Rustica quem donis reverentur numina, silvis
Satyri relictis, naiadesque fontibus," &c.

—*Opera*, ii. 404, ed. 1715.

to attend him, and she subsequently, at her husband's request, repaired to Glasgow herself. It was during this visit that she is said to have written various letters to Bothwell, which were afterwards produced at York and Westminster, to prove that she was privy to the murder of her husband. I only observe for the present that these letters never underwent any judicial examination in Scotland.

Darnley accompanied the Queen on her return to Edinburgh. A complete reconciliation had apparently taken place between them, when on the 9th of February the house in which he lodged was blown up with gunpowder, and he and his attendant were found both lying dead some eighty yards distant from the building. In all probability they had been attempting to escape, and were overtaken and strangled by the assassins.¹

¹ It appears that Darnley only met the fate of the majority of his predecessors. The first entry in the contemporary diary of Birrel is thus quaintly expressed: "There has been in this realm of Scotland one hundred and five kings, of whilk there was slain fifty-six."

CHAPTER III.

Now, for the first time, were heard rumours of the Queen's intimacy with Bothwell. At the dead of night voices were heard in the streets proclaiming him the murderer of the King. Printed libels were scattered about to the same effect; and at the instigation of the Earl of Lennox, Bothwell was brought to trial; but as no witness was produced against him, he was necessarily acquitted. A few days afterwards a Parliament had been summoned for the sole purpose apparently of securing the murderers of Darnley in their titles and estates. No Parliament had met while Darnley was King, and we can guess the reason why. He had complained on his arrival in Scotland of the indiscreet bounty of the Queen, especially to her brother; and he knew that by the law of Scotland she had the privilege up to the age of twenty-five of rescinding all such grants. The Queen was now in her twenty-fifth year, and if Darnley had lived, Murray and his faction would probably have found some difficulty in obtaining a confirmation of their titles and estates.

But Darnley was now gone, and Murray, Maitland, Morton, Huntly, and Bothwell all obtained a confirmation of their possessions, Bothwell, in addition, obtaining custody of the castle of Dunbar, one of the strongest at that time in Scotland. Murray was not in Scotland at the time; but his interests were not neglected, for the confirmation of his titles and estates occupied no less than eight columns of the statute-book.¹ A sitting of two days sufficed for the transaction of this important business, and on the day on which the Parliament rose (namely, the 19th of April), Bothwell invited a party of the principal nobility to supper, where twenty of the number signed a bond recommending him as a husband for the Queen. The name of Murray heads the list; but as he was in France at the time, he must either have signed before he left Scotland, or he must have authorised some one to sign for him. In addition to Murray, the following noblemen signed the bond — namely, the Earls of Argyll, Huntly, Morton, Sutherland, Cassilis, Rothes, Glencairn, and Caithness; the Lords Boyd, Seton, Sinclair, Semple, Oliphant, Ogilvy, Rosse Hacat, Carlyle, Herries, Hume, and Invermeith. At the foot of the page containing these names it is stated "Eglinton subscribed not, but slipped away."²

That the Queen was wholly ignorant of this

¹ Acts of Parliament of Scotland, 1567.

² Cotton MS., Caligula, c. i. p. 50.

transaction we may assume, from the fact that she had once more, amid the troubles and dangers by which she was surrounded, expressed a strong wish to return to France,¹ and take up her residence in one of the towns assigned to her for her dower. But the Court of France (that is to say, Catherine de Medici) would not listen to such a proposal, which, if Mary had been desperately enamoured of Bothwell as her enemies assert, she never would have made.

That daring profligate had in the meantime obtained a pretended divorce from his wife, a sister of the Earl of Huntly. That divorce was pronounced on the ground of consanguinity. But there is now extant a dispensation for the marriage of the Earl of Bothwell and Lady Jane Gordon, so that his marriage with his wife being lawful, he never was lawfully married to Mary Stewart. On a man of Bothwell's temperament, these ecclesiastical difficulties would weigh but lightly. He had made up his mind, at all hazards, to accomplish his purpose; and on the 23d of April, when the Queen was returning from a visit to her son at Stirling, she and her attendants were carried off by Bothwell to his castle of

¹ On the 15th of March the Spanish ambassador in Paris writes to the King of Spain: "The Queen of Scotland is so much alarmed that I understand she is anxious to come to this kingdom, to live in a town assigned to her for her dower; but here they are opposed to her coming, and *do their utmost to induce her to remain where she is,*" &c.—Teulet, vol. v. p. 22.

Dunbar. Under what pretext he intercepted the Queen we have no account except from the Queen herself. He was accompanied, it is said, by a thousand horse, and he rode forward and assured her that "she was in the greatest danger." As rumours of plots and counterplots were incessant at this time, and as Bothwell was sheriff of the county, it would have been his duty to protect the Queen; and he carried off, along with her to Dunbar, his brother-in-law the Earl of Huntly, Maitland the Secretary, and Sir James Melvill. The Queen spent several days at Dunbar, and it is certain that while there she consented to a marriage which proved fatal both to her and to Bothwell. It is easy to say that no power should have induced her to consent to this disgraceful union; but we must remember that at the time she was utterly and absolutely friendless; that Bothwell, profligate though he might be, was the only one of the great nobles who had invariably proved faithful both to her mother and herself; and lastly, that he had been recommended to her as a husband by twenty of the leading men in Scotland, among whom was her own brother, who headed the list. But where do we find any proof of that blind infatuated passion of which she was said at this time to have been the victim? Du Croc had refused to attend the wedding; but he had an interview with her on that day. He found her in deep dejection, and she told him that she wished she was dead.

How are we to account for the demeanour of the Queen as described by Du Croc? Does not her language seem to be that of a woman who felt herself forced by uncontrollable circumstances to take a step of which her conscience disapproved? The most probable explanation of her demeanour at this time, indeed the only intelligible explanation, is that Bothwell had resorted to some kind of violence to attain his purpose. In her letter to the Cardinal of Lorraine, she says that "force" was employed to obtain her consent, and Melvill (who was at Dunbar at the time) states this fact in the plainest terms. And that Bothwell was capable of resorting to any amount of violence to accomplish his purpose, we cannot for a moment doubt.

Assuming that this outrage had been committed, what was the position of the Queen? She was under the terrible necessity of either proclaiming her own dishonour, or of consenting to marry the man who had so grievously wronged her, but who had been recommended to her as a husband by the whole of the principal nobility. We need not be surprised that under the circumstances she shrank from the first of these alternatives, and finally consented to a union to which she told Du Croc she would have preferred death.

The wedding took place on the 15th of May, and Melvill entirely corroborates Du Croc as to the misery of this ill-starred union, which lasted exactly one month. On the 15th of June the very men

who had recommended Bothwell as a husband for the Queen, appeared in arms against him at Carberry Hill, near Edinburgh, and to prevent bloodshed he left the field, by desire of the Queen, and she never saw him more.

The lords made no effort to seize him. It would have been too hazardous to detain one who knew so many of their secrets, and would not have scrupled to disclose them. Bothwell had no friends among his brother nobles. We do not find him engaged in any of their interminable plots, although we cannot doubt that he was implicated in Darnley's murder. Nor do we find him accepting bribes either from France or England. Elizabeth never forgave him for intercepting a sum of money which, during the regency of Mary of Lorraine, had been sent to the so-called Lords of the Congregation. He had many staunch retainers among the Border men, who admired his courage and liberality; but not venturing to trust himself among his brother nobles, he turned pirate in the North Sea, and eventually died a prisoner in Denmark. The Queen, meanwhile, was sent a prisoner to Loch Leven.

During the six years which Mary spent in Scotland, after her return from France, we find that there were four distinct rebellions, not of the people, but of the nobles. Of the first the Catholic Earl of Huntly was the leader; the last three were the work of that section of the Protestant nobility of

which Murray was the chief. Their two first attempts had failed, but they were now to reap the fruits of their audacity and perseverance. But it was necessary to justify their rebellion, and this they finally resolved to do by charging the Queen as an accomplice in the murder of her husband. It is significant that the first piece of evidence which we possess bearing upon this foul charge came from the Earl of Murray. He had been in France during the murder of Darnley and the marriage of the Queen to Bothwell, and before he returned to Scotland his sister was a prisoner in Loch Leven. But while passing through London he had an interview with the Spanish ambassador, De Silva, and he informed him that "a letter" had been found, written and signed by the Queen, to Bothwell, which left no doubt of her guilt. In this letter, he said, she wrote in substance that he was not to delay putting their plan in execution, because her husband addressed her in such flattering words to win her over to his side, that he might possibly succeed if they did not act quickly. That she would therefore go and fetch him (*i.e.*, her husband) herself, and that they would come to a house on the road, where she would contrive to have some drink given to him; and if this could not be done, she would take him to the house where the explosion was arranged to take place on the night when one of her servants was to be married, just as it happened in fact. That Bothwell meanwhile must contrive to get rid

of his wife, either by a divorce, or by giving her some drink to cause her death; for he knew well that she (the Queen) had for his sake risked her honour and her kingdom, and all she had in France, and God, &c.

“Murray only spoke of this one letter;” and if it was genuine, it was more than sufficient to prove the guilt of the writer. There were eight letters subsequently produced, but in depth of depravity not one of them approaches to this. Not one of them indicates an intention to poison or blow up her husband; not one of them instigates Bothwell to get rid of his wife by a divorce or murder. Murray told the Spanish ambassador that the contents of the letter were described to him by one who had seen and read it; but as no such letter was ever produced, we are driven to the conclusion that it was a clumsy forgery, in which the forger attempted to prove too much, and upon that account it was eventually withdrawn.

On his return to Scotland Murray was appointed Regent, and the first judicial account of the evidence against the Queen is contained in a *pretended* copy of an Act of the Privy Council of Scotland, dated the 4th December 1567. It is printed in Haynes (p. 453), from the collections at Hatfield, and was no doubt sent to Cecil by Murray to justify the deposition and imprisonment of the Queen. This paper states, among other matters, that “by divers her privie letters, written and subscrivit with

her own hand, it is most certain that the Queen was previe to the murder of the king." We perceive here that the letters are described in the plural number, and the letters described by Murray are said to be both written and signed by her. This pretended Act of Council is signed by Murray, Morton, Glencairn, and twenty-five other members of the Council.

There has been a vast amount of discussion about this pretended Act of Council, for it states that the Queen's letters were not only written but signed by her, whereas her alleged letters produced at York and Westminster bore no signature. Hume attempts to get over the difficulty by saying it was a mere blunder of the clerk, and Malcolm Laing denounces the objection as a despicable quibble. But it is truly surprising that not one of the many eminent persons who have discussed the point has taken the trouble to examine for himself the Book of the Privy Council, which is still to be found in the Register House in Edinburgh, and is in perfect preservation. The book in question contains no such Act as that printed in Haynes, and stated to be a true copy of the original. No original exists, and no original ever existed. There is not the remotest reference to be found in the Register Book relating to the alleged letters of the Queen, and the inevitable conclusion is that no such letters ever were produced in Scotland at all.

The imposition thus practised by Murray and his

associates upon the English Government by pretending to furnish a judicial declaration of the Queen's guilt, is one of the most remarkable incidents in the Marian controversy. We cannot doubt that if they had possessed any such evidence at this time they would have produced it.

This pretended Act of Council bears date the 4th December 1567, and on the 15th of the same month the first Parliament of the Regent Murray met, and in that Act we find the first official description of the Bothwell letters. But the contradictions contained in this Act are inexplicable. In the first section it states that the Queen, wearied with the incessant toil and trouble to which she had been exposed in the government of her kingdom, had voluntarily resigned her crown in favour of her "dear son." But in the nineteenth section of the same Act, it is stated that the fact of her being made a prisoner at Carberry Hill and sent a prisoner to Loch Leven, "was in the said Queen's awin default, in as far as be divers her previe letters, written hailelie with her awin hand, and sent by hir to James, Erle of Bothwell," it was most certain that she was privy to the murder of her husband. This astounding contradiction has never been attempted to be explained, and for the obvious reason that it is inexplicable. It is quite in keeping, nevertheless, with the innumerable inconsistencies and contradictions resorted to by Murray and his associates in their attempts to justify their dealings

with the Queen. In his interview with the Spanish ambassador Murray spoke only of one letter; the pretended Act of Council speaks of them in the plural number, and as being not only written but signed by the Queen. In the Act of 15th December they are no longer said to be signed by the Queen.

The attitude of Elizabeth at this time is well worthy of attention. She had upon the whole acted a very unfriendly part towards Mary since her return from France, but she now seems to have regarded with genuine sympathy the position of her sister Queen. When the Spanish ambassador told her on the authority of Murray that he possessed proofs of Mary's guilt, she said at once she did not believe it; and she accused Maitland of inventing the story, adding that if she saw him she should tell him something that he would not like to hear. "Where," she said, "is my lord of Lethington's natural bond towards her who hath tied him so largely and so bountifully? Fie upon ingratitude!"

Elizabeth forgot for the time that Mary had once worn the arms of England, and had thereby laid claim to the English crown. But she was now a helpless prisoner in the hands of her rebellious subjects, and sympathy for her sister Queen and nearest kinswoman overcame for the time all notions of policy or ambition. She had sent Sir Nicolas Throgmorton as a special envoy to Scotland. He

was the bearer of most friendly messages to Mary, but he was not allowed to see her, and Elizabeth was naturally indignant at this treatment of her ambassador. She sent for Cecil, and asked why nothing had been done for the liberation of the Queen of Scots; and even spoke of declaring war forthwith against the rebel lords. The Secretary did his utmost to dissuade her, but she remained deaf to his arguments until he had recourse to one which, as he says, induced her to pause. "In the end," says Cecil, "I said that in running this course, the Queen of Scots might fall into more peril, by bringing the lords into desperation; and if the worst should happen, then her Majesty would be very sorry, and yet *the malice of her enemies would say that the Queen's Majesty used severity towards the lords to urge them to rid away the Queen.*" This view of the matter had not occurred to Elizabeth, and, in the words of the Secretary, "she began to pause." She felt no doubt that whatever steps she might now take for the relief of the Scottish Queen, the world would give her no credit for sincerity; nay more (as Cecil artfully suggested), that her interference would be attributed to motives the most treacherous and deadly. The wily Minister triumphed, and Mary was left to the mercy of her rebellious subjects, whom, while she was still a prisoner at Loch Leven, they compelled by threats of violence to resign her crown. The Lords Lindsay

and Ruthven were employed to obtain this resignation from the Queen. Mary having been privately advised by Sir Nicolas Throgmorton that any such deed extorted by threats was absolutely worthless, was induced to sign the papers which her keepers placed before her.

CHAPTER IV.

ON the 2d of May 1568, Mary made her escape from Loch Leven; and after the disastrous issue of the conflict at Langside, she fled to England. There can be no doubt that she took this step in consequence of the friendly attitude assumed towards her by Elizabeth while she was a prisoner at Loch Leven. Nor is there the smallest reason to doubt the sincerity of the English Queen at this time. But the situation was entirely changed by the presence of Mary in England, and Cecil and his colleagues succeeded in persuading their mistress that she could not with propriety receive the Scottish Queen into her presence until she had cleared herself of the charges made against her by Murray and his confederates. It was accordingly arranged that a conference should be held at York for this purpose; and Elizabeth named as her commissioners to inquire into the matter the Duke of Norfolk, the Earl of Sussex, President of the Council of the North, and Sir Ralph Sadler, Chancellor of the Duchy of Lancaster.

In a paper in Cecil's handwriting, still extant, he states very clearly the position of the Scottish Queen at this time. He says, "She is to be helped because she came willingly into the realm upon trust of the Queen's Majesty. She trusted upon the Queen's Majesty's help, because she had in her troubles *received many messages to that effect*. She is not lawfully condemned, because she was first taken by her subjects, by force kept in prison, put in fear of her life, charged with the murder of her husband, and not admitted to answer thereto, neither in her own person nor by advocate." It was thus clearly admitted by Cecil that Mary came to England in consequence of the promise of help made to her by his mistress.

The evidence against Mary depended entirely upon the letters which she was alleged to have written to Bothwell, and we have no proof that any such letters were ever produced in Scotland. But a letter written by Darnley's father (the Earl of Lennox) some months before the York Conference, enables us to form some notion of the mode in which the evidence against the Queen was obtained. On the 11th of June 1568 Lennox wrote to Thomas Crawford, a retainer of the family at Glasgow, desiring him "by all *possible methods* to search for *more*¹ matter against her." The result was a deposition of Crawford, professing to give

¹ Why was "more matter" wanted? If the letters were genuine, the guilt of the Queen was manifest.

minute details of a conversation which he had with Darnley during the Queen's visit at Glasgow. In the principal letter produced, Mary is represented as repeating to her paramour this very same conversation, and almost in the identical words. Now we must bear in mind that Crawford did not hear the conversation; he only repeated from memory what Darnley had told him from memory. The Queen, too, without any conceivable object, repeats from memory the very same conversation, and the agreement between the three witnesses in detailing this alleged conversation may be described as almost miraculous.

Compare the following portion of Crawford's deposition with the corresponding portion of the alleged letter of the Queen:—

THE DEPOSITION OF CRAWFORD.

"Ye asked me what I ment bye the crueltye specified in my lettres; yat procedethe of yow onelye, that wille not accept mye offres and repentance. I confesse that I have failed in som thingis, and yet greater faultes have bin made to yow sundrye tymes, which ye have forgiven. I am but yonge, and ye will saye ye have forgiven me diverse tymes. Maye not a man of mye age, for lacke of counsell, of which I am verye destitute, falle twise or thrise, and yet repent, and be chastised bye experience? If I have made any faile that ye but think a faile, howsoever it be, I

THE ALLEGED LETTER OF THE QUEEN.

"Ze ask me quhat I mene be the crueltie contenit in my letter; it is of zow alone, that will not accept my offeris and repentance. I confess that I have faillit, but not into that quhilk I ever denyit; and sicklyke hes failit to sindrie of zour subjectis, quhilk ze have forgiven. I am zounge. Ze wil say, that ze have forgevin me oft tymes, and zit yat I retorne to my faultis. May not ane man of mye age, for lacke of counsell, fall twyse or thryse, or in lacke of his promeis, and at last repent himself, and be chastisit be experience? Gif I may

crave your pardone, and protest that I shall never faile againe. I desire no other thinge but that we may be together as husband and wife. And if ye will not consent hereto, I desire never to rise forthe of this bed. Therefore, I praye yow, give me an answer hereunto. God knoweth howe I am punished for making mye god of yow, and for having no other thought but on yow. And if at any tyme I offend yow, ye are the cause; for that when ainie offendethe me, if for my refuge I might open mye minde to yow, I woulde speak to no other; but when anie thing is spoken to me, and ye and I not beinge as husband and wife ought to be, necessitie compelleth me to kepe it in my brest," &c.

obtain pardoun, I protest I sall never mak fault agane. And I craif na uther thing bot yat we may be at bed and buird togidder as husband and wyfe; and gif ze wil not consent heirunto, I sall nevir ryse out of yis bed. I pray zow, tell me zoor resolution. God knawis how I am punischit for making my god of zow, and for having na uther thoct but on zow; and gif at ony tyme I offend zow, ze are the caus; becaus quhen ony offendis me, gif for my refuge I nicht playne unto zow, I wald speik it unto na uther body; but quhen I heir ony thing, not being familiar with zow, necessitie contrains me to keip it in my breist," &c.

The agreement between the deposition and the letter has been described to be "overwhelming." It is indeed so overwhelming that no one accustomed to deal with evidence can believe both to be genuine. The very structure of the sentences is nearly identical; nor can we doubt that either the deposition has been drawn up from the letter, or, as is much more probable, that this portion of the letter has been concocted from the deposition.

After a considerable amount of shuffling, the Regent Murray and his associates produced before Elizabeth's Commissioners at York four other letters alleged to have been written by the Queen to Bothwell. But they were all shown in private;

they were all in Scotch, and they solemnly declared that they were all written in the Queen's own hand. The above letter and another were said to have been written from Glasgow during her visit to Darnley; two were alleged to have been written from Stirling to prove that she was carried off by Bothwell with her own consent; and one which was in all probability a genuine letter of the Queen's, but addressed, not to Bothwell, but to Darnley. This letter contains such a gross and palpable interpolation that it is easy to explain why it was produced. This same letter was afterwards produced at Westminster in French, in which language it was undoubtedly written. It contains the following passage: "Comme l'oyseau eschappé de la cage, ou la tourtre qu'est sans compagne, ainsi je demeureray seule, pour pleurer vostre absence, quelque brieve qu'elle puisse estre."

This passage is rendered in the Scotch as follows: "*Mak gude watch.* Gif the burd eschaip out of the cage, or without hir mate, as the turtur I shall remane alane for to lament the absence, how schort yat sa ever it be."

No one can doubt which of these passages is the original, and no one can doubt that the outrageous variation between the two has been made to give a criminal meaning to a sentiment perfectly innocent. Nothing, in short, can be more clear and simple than the French; nothing more clumsy and confused than the Scotch, in which the words "*mak gude*

watch" are a palpable interpolation. But they served the purpose of Murray and his friends, for the words attracted, as they were no doubt intended to do, the special notice of Elizabeth's Commissioners. The original despatch in which we have the first detailed account of these famous letters still exists, and referring to the one in question, they say, "The Queen wrote to Bothwell especially to make good watch that the bird escape not out of the cage." They only had the interpolated Scotch version of the letter before them, and they were assured that this was written in the Queen's own hand.

In addition to the letters, there was produced at York a most important piece of evidence, of which we never hear again. This was a warrant signed, as Murray and his associates declared, by his sister's own hand, authorising the nobility assembled at Ainslie's supper to sign the bond approving of her marriage with Bothwell. The importance of this document in connecting Mary with the schemes of Bothwell is manifest; and if it had been genuine, we cannot doubt that it would have been produced at Westminster, to which this conference was finally adjourned. But we never hear of it again.

The Queen of Scots had appointed as her commissioners at York, John Leslie, the Bishop of Ross, and the Lords Herries, Livingstone, and Boyd, but no notice was given to them that the alleged letters

of the Queen to Bothwell had been *privately* shown to the Duke of Norfolk and his colleagues. What Elizabeth's commissioners thought of the whole proceedings, we learn from a most important letter of the Earl of Sussex to Cecil, written some ten days after the evidence against Mary had been laid before them. He states his belief that the public accusation of the Queen of Scots will hardly be attempted, "for that if her adverse party accuse her of the murder by producing of her letters, she will deny them, and accuse the most of them of *manifest consent to the murder*, hardly to be denied, as upon the trial on both sides *her proofs will judicially fall best out*, as it is thought." It is impossible that Sussex could have used this language if he had believed the letters to be genuine. He goes on to say that Murray and his associates are in the meantime "to avoid these great perils," labouring by means of Maitland to effect some kind of compromise by which Murray might be confirmed in the regency; that while these were the views of Murray's faction, the Hamiltons desired to see the Queen restored, not because they loved her, but because they hated Murray. "Thus," he says, "do you see how these two factions, for their private causes, toss between them the crown and public affairs of Scotland, and care neither for the mother nor child (as I think before God), but to serve their own turns." "And now, touching my opinion of the matter," continues Sussex, "I think surely no

end can be made good for England except the person of the Scotch Queen be detained by *one means or another in England.*" We have here a true sample of the political morality of the sixteenth century. Mary was upon no account to be allowed to leave England alive. He therefore recommends that no compromise should be allowed to take place between her and her rebel subjects; and that with this view, the latter should be forced by some means or other to accuse her publicly of the murder of her husband.

The advice of Sussex was followed by Cecil to the letter. The conference at York had led to no result except the production in private of the alleged letters of the Queen to Bothwell. It was now proposed that the conference should be adjourned to Westminster, and it soon came to Mary's knowledge that Murray had in anticipation repaired to London, and had been graciously received by Elizabeth. Considering the various plots in which her brother and the English Queen had been jointly engaged against her, we need not be surprised at the step which she now took. She desired her commissioners to demand in her name that she should be permitted to appear in person in presence of the Queen of England, the whole of her nobility, and the whole of the foreign ambassadors in London, to answer all "that may or can be alleged against us by the calumnies of our rebels." The suspicions of Mary were further strengthened on hearing that she was

to be removed from Bolton Castle to the castle of Tutbury in Staffordshire, where for the first time after her arrival in England she complained that she was treated as a prisoner.

Murray meanwhile was induced, in accordance with the policy of Sussex and Cecil, to proceed with his accusations; and on the 26th of November he made a formal charge against his sister not only of the murder of her husband, but of an intent to murder her child, of which not a particle of evidence was ever given.

In addition to the commissioners who had sat at York, there were appointed to take part in the proceedings at Westminster Sir Nicolas Bacon, Keeper of the Great Seal; the Marquis of Northampton, the Earls of Arundel, Pembroke, Essex, Leicester, and Bedford; Lord Clinton, High Admiral; Sir William Cecil, Principal Secretary of State; and Sir Walter Mildmay. To these were finally added at a sitting at Hampton Court, the Earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick.

Mary had peremptorily instructed her commissioners to withdraw from the conference in case her demands were not complied with. This was probably the very thing that Murray desired, as he could then produce his proofs before a tribunal which was not disposed to examine them too closely. The letters, therefore, which he had produced in Scotch at York were now produced in French at West-

minster, with the addition of three others, two of which appear from strong internal evidence to have been genuine letters of the Queen's, but addressed, not to Bothwell, but to Darnley. It was a device well worthy of the men who practised it to exhibit a few genuine letters along with the forgeries. On hearing of the proceedings of the Regent, Mary at once acquainted her commissioners with her resolution, and commanded them forthwith to charge "the Earl of Murray and his accomplices with the murder of her husband, for that whereas they had alleged that she was guilty of this crime, they had falsely, traitorously, and wickedly lied, imputing maliciously to her the crimes whereof they were themselves the authors, promoters, and some of them the actual perpetrators."

Referring then to the accusation which they had made against her, of an intent to destroy her child, she exclaimed, with a burst of genuine feeling, "The natural love which a mother bears to her only bairn is sufficient to confound them, and needs no other answer." She added, that all the world knew that the very man who charged her with this atrocious crime had wronged her son even before his birth, for they would have slain him in her womb, although they now pretended in his name to exercise their usurped authority. This seems to have been the only notice that Mary ever deigned to take of this atrocious calumny.¹

¹ There is a ridiculous piece of gossip contained in a letter

The state of things had now arisen which Sussex had confidently predicted. Mary had now become the accuser of her rebel subjects, and he evidently dreaded the result. Mary further demanded the inspection of all the writings produced against her; "and, with God's grace," she added, "we shall make such answer thereto that our innocence shall be proven to our good sister and to all other princes." This request Elizabeth declared to be "very reasonable," and was very glad to hear "that her good sister would make answer in that manner for the defence of her honour."

Elizabeth and her Ministers were now in a very difficult and a very perilous position. That Mary was in earnest in thus accusing her rebellious subjects of the murder of her husband we have no reason to doubt, and if she succeeded in making out a case against them, as Sussex believed she would, it was impossible to foresee the conse-

addressed to Elizabeth by Sir William Drury, the Governor of Berwick, which is the only intimation I know of of the Queen's intention to kill her child. The following is the passage: "At the Queen's last being at Stirling, the prince being brought unto her, she offered to kiss him, but the prince would not, but put her face away with his hand, and did to his strength scratch her. She took an apple out of her pocket and offered it, but it would not be received by him; but the nurse took it, and to a greyhound bitch having whelps the apple was thrown. She ate it, and she and her whelps died presently. A sugar-loaf, also for the prince, was brought thither at the same time, and left there for the prince, but the Earl of Mar keeps the same. It is judged to be very evil compounded."—Quoted in Froude's *History of England*, vol. ix. p. 63.

quences. The demand, too, of Mary to inspect the letters and writings produced against her could not be complied with without the certain discovery of forgery and fraud. In his perplexity Cecil fell upon a scheme by which he hoped to save his mistress and himself from the dilemma in which they were placed by the resolute attitude of Mary. She was still at Bolton Castle under the guardianship of Sir Francis Knollys and Lord Scrope, with both of whom she appears to have been on friendly terms. A letter, accordingly, was written to Knollys by Elizabeth directing him to suggest to his prisoner, as if from himself, "that all things considered, her wisest course would be to acknowledge the government of the Regent," and this whole "cause of hers whereof she hath been charged, to be committed to perpetual silence." Knollys was to take especial care to make it appear that the advice proceeded from himself, and that he gave it as her friend. He was further to inform Lord Scrope, "with great secrecy," of the matter, so that if Mary should refer to him, he might express approval of the advice of Knollys.

In furtherance of their scheme Cecil and his mistress had gained over one of Mary's most zealous adherents—John Leslie, Bishop of Ross. By what means they induced him to tender such fatal advice to the Scottish Queen as to resign her crown at this crisis of her history we do not know. He may have thought that she had no other hope of

obtaining her liberty. But in this he was entirely deceived. In Cecil's own language, even if she consented to resign her crown, she was still to remain in "the realm and not depart." Cecil had a double motive in thus anxiously desiring the resignation of the Scottish Queen. In the first place, it would put a stop to her reiterated demands for an inspection of the evidence produced against her; and in the second place, he might assert with much plausibility that it was a confession of her guilt.

The manner in which Knollys performed the ignoble task imposed upon him we learn very clearly from himself. After some preliminary conversation, he suggested, in obedience to his instructions, that the best way of saving her honour, and causing all charges against her to be buried in oblivion, was by offering to resign her crown to her son, and she herself "to remain in England a convenient time." Mary replied that the judgment of the "world would, in such a case, condemn her." Knollys immediately rejoined, "I spake this only of good will, and I desired her not to utter this my speech to my prejudice, and for this matter she might think better upon it at her pleasure; and thus I left her."

There can be no doubt that Mary was deceived by the professions of goodwill with which Knollys had made this treacherous proposal. "In the afternoon," he says, "she began to speak with my Lord Scrope, and she told what advice I had given

her herein. 'And surely,' saith she, 'I think he doth not thus advise me to the intent I should be entrapped and abused.' 'And my Lord Scrope,' continues Knollys, 'being made privy by me beforehand, did also very secretly persuade her in friendly manner accordingly; and although she is too wise hastily to be persuaded in such a case as this is, yet Lord Scrope and I are in some hopes that if the Bishop of Ross, at his coming, will secretly persuade her hereunto, that she will yield herein.'" It is due to Knollys to state that, although he had obeyed his orders, he had no relish for the degrading work imposed upon him, and earnestly desired to be relieved from the post.¹

It had been the intention of Cecil, as we perceive from this letter, that the Bishop of Ross should proceed in person to Bolton Castle. But it was considered safer that he should communicate his advice in writing, and this was accordingly done. On the 30th of December a messenger arrived from London with letters from him to the Queen of Scots. A letter at the same time arrived from Elizabeth, in which she took occasion to express to her sister Queen her high opinion of the character and conduct of the Bishop of Ross. "We cannot," she said, "but specially note to you your good choice of the Bishop of Ross, who hath not only faithfully and wisely, but also carefully and dutifully, for your honour and weall, behaved him-

¹ Letter to Cecil of 15th December 1568.—Record Office.

self, and that both privately and publicly, as we cannot but in this sort *commend him unto you*, as we wish you had many such devoted, discreet servants; for in our judgement we think ye have not any in loyaltie and faithfulness can overmatch him.”¹ Little did Mary know when she received this letter that the Bishop had been gained over by Elizabeth and Cecil to advise her to resign her crown.

On the following day Mary had another conversation with Knollys on the subject of her proposed resignation. “Shall I resign,” she asked, “for those rebels who have so shamefully belied me?” “No!” said Lord Scrope, who was also present, “your Grace may do it in respect of her Majesty’s advice and goodwill towards you.” Knollys seconded the opinion of his colleague, and after hearing all they had to say, Mary replied that in two days she would give them a final answer. At the expiration of that time she informed Knollys that her resolution was unalterably fixed, and that she would prefer death to the ignominious terms proposed by her enemies.² Mary was at this time absolutely friendless, and we cannot but admire the wisdom and the courage with which she demolished at a blow the fine-spun schemes of Cecil. That astute Minister was now at his wits’ end. He dared not allow his prisoner an inspection of the evidence produced against her which she demanded again and again. As the northern

¹ Goodall, vol. ii. p. 270.

² Record Office.

counties were notoriously disaffected, he dared not prolong the conferences, except at the imminent risk of civil war. He had, moreover, reason to believe, on the authority of Sussex, that if the inquiry proceeded, Mary would be able to turn the tables on Murray and his associates. It was therefore necessary to bring the matter to a speedy and final decision.

On the 10th of January 1569, accordingly, Murray and his colleagues were summoned to Hampton Court, where, by the mouth of Cecil, they were informed that, "forasmuch as there has been nothing produced against them as yet that may impair their honour or allegiance; and, on the other part, *there had been nothing sufficiently produced nor shown by them against the Queen their sovereign, whereby the Queen of England should conceive or take any evil opinion of the Queen, her good sister, for anything yet seen*; and there being alleged by the Earl of Murray the unquiet state and disorder of the realm of Scotland now in his absence, her Majesty thinketh meet not to restrain any further the said Earl and his adherents' liberty, but suffer him and them at their pleasure to depart." No other construction can be put upon this extraordinary declaration than that the evidence which Murray had produced to prove that his sister was an adulteress and a murderess was absolutely worthless, and that the so-called letters to Bothwell were a mass of forgeries.

On the following day, the 11th of January, there was another meeting at Hampton Court, which was attended both by Murray and his colleagues, and by Mary's Commissioners; and Cecil inquired of the latter if they would accuse Murray and his adherents of the murder of Darnley? They immediately replied that they had the express commands of their mistress to that effect, as well as to answer all calumnies which had been uttered against her, "provided they might have the copies of the pretended writings given in against their mistress, which they had divers times required of the Queen's Majesty and her Council, but they have not as yet obtained the same."

To this fresh demand Cecil had no reply to make; and on the next day, the 12th of January, Murray, after receiving £5000¹ from the English Treasury, obtained leave to return to Scotland with his box of papers, where they never afterwards saw the light.

Foiled in every attempt to obtain a sight of the writings produced against her, Mary had recourse to the French ambassador, La Mothe Fénelon. On the 20th of January, accordingly, he had a long interview with Elizabeth, in which he expressed his hope and his belief that she would not allow a princess who had sought an asylum in her dominions to be oppressed by her rebellious subjects, and that she would cause the papers which they

¹ See Murray's receipt for the money in *Fœdera*, vol. xv. p. 677.

had produced at Westminster to be furnished to the commissioners of the Scottish Queen.

Elizabeth's better feelings seemed to be touched by the ambassador's appeal, for he says she listened to him with visible emotion. She even rashly promised—for Cecil was not by her side—that on the following¹ day the papers should be placed in the hands of Mary's commissioners.

It is needless to say that her promise was not kept. It was not to be expected that the Bothwell letters, which had been Scotch at York, but were French at Westminster, would be allowed to be critically examined by the French ambassador. When ten days later he ventured to remind Elizabeth of her promise, she flew into a passion (real or feigned it matters not to inquire) with some fresh complaint against the Scottish Queen. This seems to have been the last attempt made on Mary's behalf to obtain a sight of these famous letters, which contain the only evidence ever produced of her complicity in Darnley's murder. Mary had by this time been forced much against her wishes to leave Bolton Castle and to take up her residence in her new prison at Tutbury.

The letters and papers produced at York and Westminster were intended to implicate no one in the murder of Darnley except Bothwell and the Queen; and with this special object Buchanan

¹ Que le lendemain elle accorderait aux deputez de la dicte dame la dicte communication.—Fénélon, vol. i. p. 133.

composed his 'Detection.' But there can be no doubt that Bothwell had accomplices among the great nobility, and that a "band," according to the custom of the age, had been drawn up for the murder of the King. Lord Herries states in his 'Memoirs,' that instead of finding in Edinburgh Castle the alleged letters of the Queen to Bothwell, the rebel lords found the "band" for Darnley's murder. And this important fact is vouched for by Cecil's confidential minister Thomas Randolph, who, on the 15th October 1570, expresses himself as follows: "To name such as are yet here living, most *notoriously known to have been chief consenters to the King's death*, I mind not; only I will say that the universal bruit cometh upon three or four persons which subscribed a band promising to concur and assist each other in doing the same. This band was kept in the Castle in a little coffer or desk covered with green; and after the apprehension of the Scottish Queen at Carberry Hill, was taken out of the place where it lay by the Laird of Lethington, in the presence of Mr James Balfour."¹

Three years later—namely, on 13th December 1573—we have some additional evidence as to this band. On that day one of Bothwell's Border retainers named Ormiston, commonly called the "black laird," was executed as an accomplice in the crime, and he stated that after the murder

¹ Record Office.

Bothwell showed him a band signed by four or five names, which he believed to be those of Huntly, Argyll, Maitland, and Sir James Balfour; that Bothwell read the band to him, and it described Darnley as "a young fool and proud tyrant," who was unworthy to reign over them, and they had resolved that "he should be put off one way or another." Ormiston further said that the band had been drawn up by Sir James Balfour, and signed a quarter of a year before the deed was done. This would correspond very nearly with the date of the Craigmillar conference, when Maitland, on the part of Murray's faction, had proposed a divorce to the Queen, to which she refused her assent.

Eight years later—namely, in June 1581—we have another piece of evidence relating to Darnley's death. At that time the Earl of Morton, after having been Regent of Scotland, was tried and executed as an accomplice in the murder, and he was, by his own confession, an accessory after the fact.

The history of the evidence relating to the murder is therefore very remarkable. At first, and for two years after the event, it exhibits Bothwell and the Queen as the only prominent actors in the tragedy, To them are added, in process of time, Huntly the Chancellor, Argyll the Lord Justice, Maitland the Secretary, and Sir James Balfour, who, we may add, was afterwards President of the Court of

Session. Next follows the Regent Morton; and last of all, John Hamilton, Archbishop of St Andrews, is introduced on the scene, to prove, apparently, that all the most powerful families in Scotland were banded together for the destruction of the unhappy King.

The charge against the Primate of Scotland, however, rests solely on the authority of Buchanan; and in making it, that most reckless of historians indulges in the most flagrant of all his contradictions. After describing in the most circumstantial terms, in the eighteenth book of his 'History of Scotland,' the part that Bothwell and the Queen took in the perpetration of the murder, he informs us, in the twentieth book of the same work, that the crime was committed not by them, but by the Archbishop of St Andrews and his servants. "When the proposition of killing the King was made to the Archbishop, he readily undertook it," says Buchanan, "both by reason of old feuds between their families, and also out of hopes thereby to bring the kingdom nearer to his family."¹ He then tells us what was probably true, that the King was first strangled, and that the house was afterwards blown up by gunpowder.

The question here naturally arises whether, when we find that so many of the leading men in Scotland were concerned in Darnley's murder, it was possible for the Queen to have remained ignorant

¹ History, Book xx., edition of 1722.

of the plot? But to this it may be answered that the Scottish nobles had in that age brought the art of secret plotting to the highest degree of perfection; nor was there ever a more Machiavellian scheme devised for the ruin of two persons than their pretended approval of the Bothwell marriage. Who first conceived the scheme we do not know, but we strongly suspect the arch intriguer Maitland. That it was perfectly possible to keep the Queen in ignorance of their designs against Darnley, we may conclude from the fact that she was kept entirely in the dark respecting the plot against Riccio, in which a much greater number of persons, including her own husband, were engaged. Not the slightest intimation of the conspiracy reached her ears until the assassins of her secretary stood before her. Assuming that she was innocent, the enemies of Darnley had still stronger motives for secrecy; for the crime they contemplated was of a still more heinous kind, and in case of miscarriage they could count upon no extraneous aid. It was hopeless for them to look, as the murderers of Riccio had done, for sympathy and succour from the English ministers, for Darnley was a born subject of the Queen of England. The necessity of self-reliance, and the dangers of failure, must have naturally induced the conspirators to observe the utmost secrecy and caution in the prosecution of their design.

To sum up this portion of Queen Mary's history, we find that her brother, the Earl of Murray, was

the leader in two conspiracies against her; the first on her marriage with Darnley, and the second which led to the murder of Riccio and the intended captivity of the Queen: we find that in both of these conspiracies he was aided and abetted by the Ministers of Elizabeth: we find further that in order to blacken the character of the Scottish Queen, Cecil, well knowing from the correspondence of Randolph and Bedford the true motives for the murder of Riccio, induced the French ambassador to believe not only that the Italian was the paramour of the Queen, but that he had actually been slain in her arms by her husband. We find further that the only evidence of the Queen's complicity in the murder of her husband was contained in her alleged letters to Bothwell, and of the many suspicious circumstances connected with the history of these letters there is none more striking than the absolute silence of the Book of the Privy Council respecting them, although a pretended copy of an Act of Council, giving the first judicial account of them extant, was sent to Cecil, and is printed at length in the Haynes collection; that these letters, moreover, were never allowed to be seen by the Queen or by any of her advisers, a fact which alone, independent of the many internal proofs of forgery and fraud, ought to render them wholly unworthy of credit.

With regard to the murder of the King, we find there is no proof, but a very strong probability,

that the same men who twice before had unsuccessfully rebelled against their Sovereign were directly or indirectly concerned in the death of her husband, which secured them in their titles and estates, and eventually placed the government of the kingdom in their hands ; that these same men, who had recommended Bothwell as a husband for the Queen, were, in fact, his mortal enemies, as was clearly shown by their subsequent conduct ; and that not a whisper was heard of the Queen's intimacy with Bothwell until after Darnley's murder, and that the stories of her violent attachment to that man rest entirely on the allegations of her enemies. We find that during the conferences at Westminster, Elizabeth and her Ministers by a series of artful devices attempted to induce Mary to resign her crown, a step which all the world must have regarded as a confession of guilt ; and failing in this design, and not daring to submit the alleged proofs of Mary's guilt to any independent authority, they finally declared them in effect to be wholly worthless, for "nothing had been produced by her adversaries whereby the Queen of England should conceive or take any evil opinion of the Queen her good sister." Yet for this worthless mass of evidence they paid the Earl of Murray the exorbitant sum of £5000, equivalent at the present day to probably five times that amount.

It seems hardly credible, but the fact is undoubted, that after having accused his sister of

the most atrocious crimes, Murray should have proposed a marriage between her and the Duke of Norfolk. With this avowed object he sought an interview with the Duke previous to his departure for Scotland. The project had been first suggested by Maitland during the conferences at York; and as a reasonable means of settling the question of the succession, it was eventually adopted by a number of the leading nobility of England. A letter was accordingly drawn up in the name of the Duke, and of the Earls of Arundel, Pembroke, and Leicester, and it was subsequently approved by the Earls of Bedford and Shrewsbury, and by the two Catholic Earls of Northumberland and Westmoreland, all of whom, we may add, had seen either at Westminster or at Hampton Court all the evidence produced by Murray against his sister. The proposal was carried to Tutbury by a retainer of Leicester, and the reply of the Scottish Queen is said by the most prominent of her modern adversaries to have been both graceful and dignified. She said that her sorrowful experience would have led her to prefer a single life, but she was willing to defer to others in a matter which concerned the welfare of both realms, provided (and that she specially required) that they should first obtain the consent of her sister the Queen of England.

CHAPTER V.

As Elizabeth had declared by the mouth of her Minister that no charge had been proved against the Scottish Queen by her adversaries, her continued detention as a prisoner was a plain violation of all law and justice. But whatever Elizabeth may herself have thought on the subject, we have seen that her Ministers were, from the first, of opinion that Mary should not be restored to liberty; and to that resolution they still adhered. But the dangers inseparable from a policy so utterly unjustifiable soon became apparent. Within a few months after the termination of the Westminster Conference, the Earls of Northumberland and Westmoreland, the representatives of the great houses of Percy and Nevil (although they had seen all the evidence produced against her), risked their lives and fortunes on behalf of the imprisoned Queen. With a force of six or eight thousand men, they advanced rapidly upon Durham, whence they intended to proceed to Tutbury and proclaim the

Queen of Scots. Cecil, with all his unrivalled industry and skill in statecraft, was apparently helpless in the presence of immediate danger. There was no force in the north sufficient to oppose the rebel lords, but he despatched the Earl of Rutland, a boy of thirteen, to raise his tenants in the Midland counties, while he himself took to his bed.¹ But fortunately for Elizabeth, she had a kinsman in the north who could both think and act on an emergency. By the advice of Lord Hunsdon, the Scottish Queen was hurried off to Coventry under a strong escort. By this time the advanced portion of the rebel force were within a day's ride of Tutbury; but the unexpected removal of Mary proved fatal to their enterprise. They retreated as rapidly as they had advanced, but without encountering any opposition; and the two Earls made their escape to Scotland. Westmoreland was hospitably entertained by the Laird of Ferniehirst, and finally escaped to Holland, where he died many years afterwards. Northumberland was less fortunate. He was sold to the Regent Murray by one Hector Armstrong, whose infamy has been immortalised in Border song, and sent a prisoner to Loch Leven. The utmost severity was shown in dealing with the less distinguished insurgents, no less than three hundred

¹ Sir Ralph Sadler, who accompanied the youthful Earl, is to be sure to admonish him "if negligent of resort to common prayer;" dated from Windsor, "in my bed," 20th November.

of whom were executed in the county of Durham alone.¹

This rebellion was speedily followed by another still more formidable, led by Leonard Dacre; and it is not too much to say that England was on this occasion spared the terrible calamity of a civil war by the skill and courage of Lord Hunsdon. Dacre had assembled some 3000 English and Scottish Borderers in the neighbourhood of his castle of Naworth. Ferniehirst and Buccleuch were prepared to join him with a still larger force, and if they had joined their forces, the whole of the northern counties were ready to rise. Hunsdon (who was at Berwick) saw the danger, and after a forced march came up with Dacre before his Scottish allies had joined him. As it was, the issue seems to have been doubtful;² but Hunsdon's troops were better supplied with firearms than their opponents. Dacre was eventually defeated, and fled across the Border; and Elizabeth, although she and her Ministers did not seem to know it, was

¹ Memorials of the Rebellion, by Sharpe, p. 140. The orders of Elizabeth were, that such of the rebels as possessed lands should be reserved for trial, that upon conviction for treason their estates might be forfeited to the Crown, "but that those who had no freeholds, copyholds, nor any substance of lands, were to be immediately hanged by martial law." She further ordered that the bodies were not to "be removed, but to remain till they fell to pieces where they hung."—Record Office—Notes by Cecil.

² Hunsdon describes the onslaught of the Border men as "the proudest charge I ever saw."—Letter to Cecil, Record Office.

never in greater danger in her life than on this eventful day.¹

In the interval between the rising of Northumberland and Westmoreland and the rebellion of Leonard Dacre, the Regent Murray was shot dead while passing through Linlithgow. And it is said that on the recommendation of the Archbishop of Glasgow, Mary allowed a pension out of her French dowry to the assassin, who was a Hamilton, and a kinsman of the Duke of Chatelherault. This appears to be the only material charge against Mary which her enemies have verified, and it is one which cannot be justified. But there is something to be said in extenuation. Mary in her treatment of Chatelherault and Murray, of Morton and Ruthven and Lindsay, had shown herself to be the least vindictive of women. But she must have been more than human to forget the multiplied treacheries and the black ingratitude of her brother. To her he owed everything he possessed in the world—titles, honours, and estates. Yet he had twice plotted against her crown, if not against her life, and he had charged her with the most infamous crimes upon evidence which his own faithful ally Elizabeth pronounced by the mouth of her Minister to be absolutely worthless. He was engaged at the very time of his death in a negotia-

¹ Sadler, writing from York about this time, says there were not ten gentlemen in that county well affected to the Queen, and that the common people were on the side of the rebels.—Sadler, ii. 55.

tion with Elizabeth for the surrender of his sister into his hands, and what would have been her fate in Scotland in this age of blood it is not difficult to guess.¹

The most strenuous efforts were made to implicate the Scottish Queen in the two northern rebellions, but without effect. Northumberland was subjected to a number of searching questions on the subject, but he invariably replied that she was opposed to the project of the two Earls;² nor is there any evidence to connect her with the rising of Leonard Dacre. But the alarming spirit of disaffection in the northern counties disclosed by these two rebellions at length awakened Elizabeth to

¹ On the 2d of January, Knox addressed a letter to Cecil, in which he says, "if ye strike not at the root, the branches that appear to be broken will bud again." On the same day Murray also addressed Cecil, stating that he was about to send Nicolas Elphinstone to London with certain important instructions to be laid before the Queen. The exact nature of these instructions we do not know, but there can be little doubt that the surrender of Mary was the main purpose of the intended negotiation. After begging more money for his alleged services in suppressing the late rebellion, and especially in making a prisoner of Northumberland, Murray reminds the Queen, almost in the language of Knox, "that the head of all these troubles is at her commission"; that this late rebellion is not now ended, that it hath more dangerous branches, and if now it be not remedied, the fault will be in her Majesty."—Notes in Cecil's hand, Record Office. On the 24th January, Elizabeth replied to Murray in terms which lead us to conclude that she was willing to agree to his proposal. But on the day before (*i.e.*, the 23d) he was killed.—Record Office, 24th January 1570.

² Sharpe, *Memorials of the Northern Rebellion*, pp. 206, 219.

the dangers of the policy to which her Ministers had committed her, and negotiations were commenced with the view of liberating a prisoner whose presence in England so seriously menaced the peace of the kingdom. For this purpose, Mary and her mortal enemy, who had now been created Lord Burghley, met at Chatsworth, and so eager was she at this time to obtain her liberty, that she even consented to allow her son to be sent to England, believing, no doubt, that he would be at least as safe at the English Court as with her own unruly subjects. How far Elizabeth was sincere in these negotiations it is impossible to say, but we cannot doubt that they were undertaken with reluctance by Burghley and his colleagues, and we need not therefore be surprised that they led to no result.

The project of a marriage between Mary and the Duke of Norfolk had first originated in the busy brain of Maitland, and it was eventually approved, as we have seen, by the leading nobility of England. But unfortunately, in connection with the proposed marriage, Norfolk had allowed himself to be drawn into a conspiracy by a Florentine adventurer named Ridolphi, which had for its object the invasion of England by the Duke of Alva, who then commanded the Spanish forces in the Netherlands. It was by the following singular accident that this daring scheme was brought to light. It happened that the celebrated Sir John Hawkins, in

one of his buccaneering expeditions in South America, had met with a disaster in which a number of his men were taken and shipped off as prisoners to Spain. With the view of obtaining their release, he, with the sanction of Lord Burghley, sought an interview with the Spanish ambassador in London, Don Gueraldo d'Espés. To him Hawkins complained of the bad treatment he received from Elizabeth; that he was in reality a secret partisan of the Queen of Scots, and that if he could only obtain the release of his countrymen from their Spanish prison, he was ready to enter the services of the Spanish King, and bring with him the finest ships and the best seamen in the English navy.

Hawkins, still with the concurrence of Burghley, next sent one of his officers named Fitzwilliam to Madrid to repeat to Philip in person the offers that had been made to his ambassador in London. Fitzwilliam was well received at the Spanish Court; but being without credentials of any kind, he was naturally asked whether he or Sir John Hawkins was personally known to the Queen of Scots. The envoy was obliged to reply in the negative, upon which he was informed that if he brought a letter of recommendation from the Scottish Queen, his proposals would be favourably considered by the Spanish Council. Before quitting Madrid, Fitzwilliam had so far won the confidence of the Duke of Feria, an important member of the Council, and

of his duchess, who was an Englishwoman, that they intrusted him with letters for the Scottish Queen. With these, and with the cautious reply of Philip, he returned to England.

It was obvious that unless the required letter of credence could be obtained from Mary, the bold scheme of Hawkins must be abandoned. She was now at Sheffield Castle, and the Earl of Shrewsbury was her keeper. Fitzwilliam was accordingly sent down to Sheffield, where by the directions of Burghley he obtained an interview with Queen Mary. The letters which he brought from the Duke and Duchess of Feria disarmed all suspicion of treachery; and when he interested her to intercede with Philip on behalf of his imprisoned countrymen, she said she was a prisoner herself,¹ and cheerfully complied with his request. She wrote accordingly to Philip on behalf of the imprisoned sailors, little dreaming that the spy and impostor to whom she gave the letter was in league with her worst enemies. She also gave him a letter and some presents for the Duchess of Feria, all of which were in due time delivered by Fitzwilliam to Hawkins, and by Hawkins to Lord Burghley. But to the great disappointment of the Secretary, there was nothing in Mary's letters to criminate either her or any one else. The main object, however, of Fitzwilliam's visit to Sheffield

¹ Letter, Shrewsbury to Burghley, 3d June 1571. Record Office.

was accomplished. He had obtained a letter from the Queen of Scots, with which and with the presents for the Duchess of Feria, he set out once more for Madrid.

All Philip's doubts were dispelled by the letters of Mary. He forthwith caused the English prisoners to be released, allowing to each a sum of money sufficient to defray his expenses to England. It now became necessary that Philip should disclose his plans; and Fitzwilliam ascertained the important fact that the Duke of Alva was to have an army in readiness for the invasion of England in the autumn, and that it was intended that the ships to be provided by Hawkins should take part in the expedition. The agreement to this effect was signed by the Duke of Feria on the part of Philip, and by Fitzwilliam on the part of Hawkins, by which, for his promised services, he received from the Spanish King the sum of £50,000, equivalent at the present day to probably five times that amount. Thus by a series of false and most ingenious devices, the Queen of Scots had been grossly imposed upon, and Philip had been defrauded of this large sum. Burghley, no doubt, regarded the transaction as a triumph of diplomatic art. The two enemies that he most dreaded in the world were the King of Spain and the Queen of Scots, and he had not only made dupes of both, but he had employed the one to over-

reach the other. The real intention of Hawkins, if he had joined the Spanish fleet, was to destroy it on the first opportunity; but the course of events rendered the projected invasion at this time impracticable.

CHAPTER VI.

WHEN the project of the Norfolk marriage came to the ears of Elizabeth, she was furious at the conduct of the Duke in thus without her knowledge seeking an alliance with the Scottish Queen. Evidence was subsequently brought to light of his connection with the schemes of Ridolphi, and he was arrested and sent to the Tower. In consequence of these discoveries Mary was treated with a degree of harshness which in this age seems hardly credible. While a close prisoner in Sheffield Castle, Cecil had the inconceivable meanness to send her a copy of Buchanan's 'Detection,' printed in London in 1571, containing the most abominable libels against herself. When Cecil sent to the French ambassador a false and slanderous account of Riccio's murder, his purpose was to defame the Scottish Queen throughout Christendom. But no motive can be suggested for his conduct on this occasion save the malicious pleasure of inflicting pain. Mary complained to Elizabeth and to the King of France of

the gross insult to which she had been subjected. Elizabeth pretended, when the French ambassador applied to her on the subject, that she had no power to suppress the book, as it had been printed in Scotland and in Germany.¹ She well knew at the time that it had been published in London under the auspices of Cecil, and that copies in different languages had been sent abroad by him. He well knew that the reputation of Buchanan would cause the libel to be widely circulated.

On the 2d of June 1572 the Duke of Norfolk was beheaded, and shortly afterwards a bill of attainder was passed by both Houses of Parliament against the Queen of Scots. It appears that her great and unpardonable crime was her religion. "Shall we think," asked the Commons, "that the gathering of a few sticks on the Sabbath day is to be punished by death in a poor simple person, and the seeking to subvert the Gospel of Christ, and to draw the people of God to that idolatrous doctrine that teacheth to impute the merit of Christ's blood and passion to wicked men's devices, yea, to stocks, to stones, to sticks, to water, to bells, shall not be worthy the punishment of death in a noble person? God direct your judgment other ways."²

These arguments satisfied both Lords and Commons, who passed the bill of attainder against the Queen of Scots, apparently without a dissentient voice. But to the great disappointment of Cecil

¹ Fénelon, vol. iv. p. 305.

² D'Ewes, p. 212.

and his followers, the bill was peremptorily rejected by Elizabeth.

Foiled in the attempt upon her life, Burghley and his colleagues next introduced a bill which, by setting aside Mary's claim to the succession of the English crown, was intended to secure them from her resentment in case she should survive Elizabeth. Even this comparatively moderate measure was no less peremptorily rejected. But although not yet prepared to take the life of her guest, or even to prejudice her claim to the crown, Elizabeth was quite willing to take any step that was calculated to humiliate and annoy her. With this object (for there was clearly no other) commissioners were appointed to proceed to Sheffield Castle with a catalogue of grievances both old and new against the captive Queen. Lord de la Warr, Sir Ralph Sadler, the Solicitor-General Bromley, and Dr Wilson (the translator of Buchanan's libel), were the persons chosen for the mission, and they arrived at Sheffield on the 16th of June. They found Mary in deep distress on account of the death of the Duke of Norfolk, respecting whose fate she had been kept in painful suspense ever since his trial. But, although suffering both in mind and body, she listened patiently to the complaints—thirteen in number—which the commissioners had been instructed to make against her. The first was the charge, repeated for the twentieth time, that she had worn the arms of England. The commissioners

further complained that she had sought to marry the Duke of Norfolk without the consent of the Queen, and even in defiance of her prohibition; that she had stirred up a rebellion in the northern counties, and had caused aid to be given to the rebel subjects of the Queen of England in Scotland and in Flanders; that she had commissioned Ridolphi to invite the King of Spain to invade the realm; that she had conspired with various of her Majesty's subjects to obtain her liberty, with the purpose of laying claim to the crown; that she was in constant correspondence with the Pope, and had induced him to publish a bull against her Majesty; and that many of her friends abroad had asserted that she was the rightful Queen of England.¹

To these charges Mary, on the following day, returned a written reply—protesting, at the same time, that, being an independent sovereign, she was induced to answer only in respect of the near relationship between her and the Queen of England, whose friendship she had ever sincerely desired. With respect to the first complaint of the commissioners—the wearing of the arms of England—she said that she could not in reason be held accountable, as she was at the time not only in her minority, but married to a foreign prince, and that subsequent to his death it was well known she had never worn them; that it was true she had consented to a marriage with the Duke of Norfolk, believing it to be for the

¹ Murdin, p. 218.

advantage of both realms, but that she had never at any time intended or desired to bring it about by force; that she had neither instigated nor approved of the northern rebellion, nor had she in any way assisted the English rebels, except by recommending the Countess of Northumberland to the Duke of Alva; that it was true she had applied to the Kings of France and Spain, to the Pope, and to other princes, to aid her in recovering her liberty, and she was quite prepared, whenever an opportunity were afforded her, to justify her conduct in this respect before the Parliament of England; that she well knew Ridolphi was an agent of the Papal Court, and that she had employed him to raise money on her account, but that she had received no letter from him since he quitted England; that, being unjustly detained a prisoner, she had always readily listened to any one who undertook to restore her to liberty, and she had supplied Rolleston and Hall, at their request, with an alphabet in cipher, but she had never of herself devised any method of escape; that she utterly denied having procured or approved of the Papal bull issued against Queen Elizabeth, a copy of which she had read and immediately thereafter committed to the flames; finally, she declared that if her friends and adherents beyond the seas had ever asserted that she was the rightful Queen of England, they had done so entirely without her knowledge or approval.¹

¹ Labanoff, vol. iv. p. 48, and Camden. Rolleston and Hall,

It will be observed that in this very able reply Mary evaded the most serious point urged against her—namely, that she had invited the King of Spain to invade the realm. She could not, in fact, deny that she had authorised Ridolphi to seek the active aid of that king to relieve her from captivity. And considering the kind of captivity to which she had been subjected, it is impossible to deny that she was fully justified in appealing for aid to any of her allies.

Mary was at this time kept a close prisoner at Sheffield Castle. She had been compelled to part with a number of her servants, and she was allowed to see no one except her keeper and his termagant Countess, the celebrated Bess of Hardwick.

Within a few months of the execution of Norfolk, another of the great nobility perished on the scaffold, the victim of his loyalty to the Scottish Queen. After having been detained a prisoner in Loch Leven for many months, Northumberland was sold by the Earl of Morton for two thousand pounds, and was beheaded at York on the 22d of August 1572.

But notwithstanding the hopeless aspect of her cause in England, her partisans in Scotland were still numerous and formidable. On the death of Murray, the Earl of Lennox, grandfather of the infant King, had been appointed Regent; but the

two gentlemen of Lancashire, who had formed a plan for the escape of the Queen in 1569.

partisans of the Queen were still in arms. The castle of Edinburgh was held by the best soldier in Scotland, Kirkaldy of Grange, and by Maitland, who atoned in some measure for his past misdeeds by deserting his old associates and devoting the remainder of his life to the service of a sovereign who, as Elizabeth expressed it, had "tied him so bountifully." Adam Gordon,¹ a younger brother of Huntly, was all-powerful in the north, and the Hamiltons in the west. A well-planned raid upon Stirling, led by Kirkaldy and the Laird of Buccleuch, proved fatal to Lennox, who was killed during the attack. He had held the perilous post of Regent little more than a twelvemonth, and was succeeded by the Earl of Mar.

Mary was still a close prisoner in Sheffield Castle when the butchery of St Bartholomew² filled all Protestant Europe with horror and consternation. Burghley did not fail to make use of this terrible incident as a means of stimulating his mistress to take decisive steps against the captive Queen. And it may probably have been at the instigation of the Lord Treasurer that Sandys, Bishop of London, recommended in plain terms "that her head should be cut off forthwith." This truly orthodox advice was tendered on the 8th of September, and two days afterwards Henry Killi-

¹ The hero or the villain of one of the most pathetic of Scottish ballads, Edom o' Gordon.

² On 23d August 1572.

grew was commissioned to proceed to Scotland on the business recommended by the Bishop.

Burghley had failed to induce his mistress to take her cousin's life, but by working on her fears he at length persuaded her that that necessary work might be done by her own subjects. Hence the mission of Killigrew to Scotland to sound the Regent Mar on the subject. No one was acquainted with the object of his journey except Elizabeth, Burghley, and Leicester; and she declared that if any one of them divulged it, he should answer for it. It must be admitted that they had the strongest motives for secrecy, for the proceeding was infamous in the extreme. They had bribed the Scots to sell Northumberland, and they would now bribe them to kill their Queen. They justly concluded that it was simply a question of price; and it was Killigrew's business to settle that with the Scottish Regent.

On his arrival in Scotland, Killigrew had an interview with Knox. What passed we do not know, but we know that two years before, when there was a question of surrendering the Queen to the Regent Murray, Knox had advised Burghley "to strike at the root." The letter of Killigrew describing his interview with Knox has disappeared; but in a second letter addressed to Burghley on the 6th October, he says: "The postscript of your lordship's letter I answered; thus I hope to satisfy Morton; and as for John Knox,

that thing you may see by my despatch to Mr Secretary is done." Bearing in mind Knox's rabid hostility to his religious rivals, and his frequent denunciations of the Queen, we cannot but believe that the Reformer knew and approved of Burghley's plot.

Killigrew had been instructed to let the matter be proposed to him by the Regent, but Burghley, fearing no doubt that his mistress might change her mind, grew impatient and urged Killigrew to lose no time in proceeding with the business "which daily, nay hourly, occupied his thoughts." Morton, whose consent was necessary for the surrender of the Queen, was at this time sick and confined to his bed, but a meeting was finally arranged at his Castle of Dalkeith, no one being present but himself, the Regent Mar, and Killigrew. After some preliminary fencing, Morton was the first to bring the matter to a point. He declared, in plain terms, that both he and the Regent desired the Queen's death "as a sovereign salve for all their sores." Morton further added — and the fact is important — "that the Queen of England would require to send such a convoy with the party, that *in case there were people would not like of it*, they might be able to keep the field." On these conditions he assured Killigrew that the royal captive should be put to death within three hours of her arrival in Scotland. Killigrew says that the Regent was "more cold" than Morton, but the

latter privately informed him that if the Regent showed any hesitation in the business it could be done without him, as he himself was Lieutenant-General of the whole of Scotland south of the Tay, and could on his own authority come to terms with the English Government respecting the death of his Sovereign.¹

But it soon appeared that the coldness of the Regent arose not from any moral scruples, but from the apparent difficulty of carrying into effect Lord Burghley's scheme. As soon as Mar was assured that it was practicable, he showed himself quite as eager as Morton for its speedy execution. A few days after the meeting at Dalkeith, Killigrew had an interview with him at Stirling, and was pleased to find that all traces of doubt and hesitation had passed away. Mar took the opportunity of informing the English envoy at the same time that he was much in want of money, and he hoped that under the circumstances Elizabeth would furnish him with a supply.

Killigrew and the two Earls now understood each other. It only remained to settle the terms upon which the Scottish Queen should be surrendered, and Killigrew was speedily furnished with the conditions upon which Mar and Morton agreed to perform their part of the bargain. They were to the following effect: That the Queen of England should take the infant King of Scots under her

¹ Killigrew to Burghley, 13th October 1572. Cotton MSS.

protection ; that his claim of succession to the English crown should not be prejudiced by any sentence to be passed upon his mother ; and that the Earls of Huntingdon, Bedford, or Essex, accompanied with two or three thousand troops, should assist at the execution. It was further required that these troops should afterwards join the forces of the Regent and reduce Edinburgh Castle. The fortress was then to be delivered up to the Regent, and all arrears of pay due to the Scottish troops to be paid by the Queen of England.

These demands appeared to Burghley to be unreasonably high, and he complained bitterly of their extortionate character. But it must be admitted that the circumstances were unprecedented. To give up a fugitive to an enemy had from the earliest ages been deemed an unpardonable crime ; but to bargain in addition for the death of the victim was an atrocity peculiar to this. Burghley and his mistress, moreover, upon their part, had taken the precaution to stipulate that they should have ample security for the performance of the murderous contract. Certain noblemen to be named by the Regent were to repair to England, and there to remain until their sovereign was put to death. Is there any other instance on record where hostages were required as security for the perpetration of a murder ?

Before, however, any agreement had been concluded, the sudden death of the Earl of Mar (who

expired at Stirling on the 28th of October, after a very short illness) put an end to the negotiations. It was a startling coincidence that twice within two years the surrender of Mary to her enemies had been prevented by the unexpected death of a Scottish Regent. With Murray the bargain appears to have been actually concluded when he was struck down; and had Mar lived, as both parties were alike eager for Mary's death, we cannot doubt that they would eventually have come to terms. It was a just retribution on Burghley and his mistress that they should find themselves hopelessly saddled with a prisoner whom they dared neither to set at liberty nor to put to death.

The Lord Treasurer gave vent to his chagrin in a strain of pious sentiment by no means usual with him. To his brother conspirator, Leicester, he even expressed a fear lest their mistress had offended the Almighty by refusing to take her cousin's life. Their intended victim meanwhile remained wholly unconscious of the danger to which she had been exposed. No allusion to the plot is to be found in the correspondence of the Queen or of that of any of her friends. It must be admitted that the few persons intrusted with the secret had every motive for preserving silence.

CHAPTER VII.

ON the death of the Earl of Mar, Morton succeeded to the Regency, and his energetic and unscrupulous policy eventually proved fatal to Mary's party in Scotland. Killigrew had offered a heavy bribe for the surrender of Edinburgh Castle, but Kirkaldy refused to treat with him unless Huntly and the Hamiltons were parties to the treaty. Kirkaldy doubted at the time whether his noble allies would prove equally true to him,¹ and his suspicions proved correct. Huntly and the Hamiltons came to terms with the Regent at Perth, and Edinburgh Castle became the last stronghold of Mary's partisans in Scotland; but so long as it contained within its walls so brave a soldier as Kirkaldy and so able a statesman as Maitland, her cause could not be deemed hopeless. Killigrew, who was still in Scotland, urged Burghley, as the Scots were unprovided with artillery requisite for the capture of the castle, to send an English force to their assistance, and eventually Sir William Drury was sent

¹ Melvill's Memoirs, p. 119.

to the aid of the Regent. The English auxiliaries were well provided with breaching-guns; and after a bombardment of thirty-four days, and both provisions and water had failed, the garrison was compelled to surrender. Maitland, knowing that he could hope for nothing at the hands of the Regent, died a voluntary death,¹ and with him died many a dark secret of the stormy age in which he lived, and in which he had acted so prominent a part. Strenuous efforts were made to save the life of Kirkaldy, but Morton was inexorable. He was hanged along with his brother, Sir James Kirkaldy, whose wife was said to be a paramour of the Regent.²

Mary was in due time informed by her keeper Shrewsbury that Edinburgh Castle and its brave defenders were in the hands of her mortal enemies. Shrewsbury even thought fit, by way of rendering the news more acceptable, to congratulate her on the event. Mary describes her keeper on a former occasion as coming to her "with a merry countenance" to say that the Earl of Northumberland had been delivered up. Mary was too proud and too familiar with misfortune to give way to sorrow in the presence of her keeper. To his evident disappointment, she preserved her self-possession and composure when he exultingly told her that her

¹ He died at Leith after the old Roman fashion. Melvill, p. 122.

² *Historie of King James the Sext*, p. 208.

last hope in Scotland was extinguished. But he added, by way of consolation to Lord Burghley, that "although she made little show of any grief, he was sure that the news nipped her very sore."¹

In one respect the complete discomfiture of Mary's partisans proved advantageous to the unhappy prisoner. As she ceased to be an object of immediate alarm, the vigilance and severity of her keepers, which had been unremitting since the discovery of Ridolphi's plot, became gradually relaxed. They discovered, too, that her long and close imprisonment had seriously impaired her health. The combined effect of damp ill-ventilated rooms and want of proper exercise had rendered her subject, among other ailments, to severe attacks of rheumatism, for which her physician recommended the baths of Buxton, and in a fit of unwonted generosity Elizabeth allowed her, in the autumn of 1573, to visit that celebrated watering-place.

By way of showing her gratitude to her sister Queen, it occurred to Mary about this time to send her some presents of her needlework, in which it is well known that she excelled. The gift was graciously received; and Mary subsequently supplemented it from time to time with various articles of Parisian manufacture, with which she had been supplied by her agents in France. All were accepted; but while Mary was thus seeking to propitiate her cousin with needlework and Par-

¹ Shrewsbury to Cecil, 7th June 1573. Record Office.

isian millinery, Elizabeth was once more quietly plotting the murder of her unsuspecting guest. She had determined (no doubt on the advice of Burghley) to renew the negotiations with the Scottish Regent, which had been broken off by the death of Mar; and Killigrew was once more sent to Scotland to ascertain upon what terms Morton would perform his part in the much-desired tragedy. The revival of the plot at this time is without the shadow of a justification. On the former occasion, something might be said in its justification—at least, according to the political morality of the sixteenth century. The massacre of the Protestants in France had just taken place, the whole of Britain was in a state of feverish excitement and alarm, and Mary's partisans in Scotland were still in arms. But the panic had now subsided; Mary's adherents were defeated apparently beyond all hope of recovery; and since the capture of Edinburgh Castle she had not been accused or suspected of any design even to obtain her liberty. Last, and worst of all, she was on much more cordial terms with her sister Queen than at any time since her arrival in England.

Knox was now dead; and on his arrival in Scotland, Killigrew proceeded at once to sound the Regent on the "great matter." But Morton was no longer eager for the execution of the plot. His position had entirely changed since, from his sickbed, he had declared that the murder of the

Queen would "be a salve for all their sores." He was now in absolute possession of the government, his enemies were powerless, he was no longer dependent on Elizabeth; and he refused to rid her of her rival, except upon terms far more exorbitant than had been demanded two years before. The market had risen so much since his last visit that Killigrew compared the Regent to the Sibyl of antiquity.¹ The precise terms are not known, for some of Killigrew's letters have disappeared; but we may assume that it was difficult for the most avaricious of men and the most parsimonious of women to come to terms. Morton seems to have demanded a heavy bribe for himself and pensions for his friends; while Elizabeth, willing and apparently eager at this time to take her cousin's life, could not make up her mind to pay the cost. But it is certain that while thus haggling with Morton for the price of Mary's blood, she readily accepted whatever presents the Scottish Queen chose to send her.²

It was a most serious aggravation of her imprisonment that Mary was not allowed to see a minister of her own religion. Her complaints upon this subject were invariably met with a peremptory refusal. And not only was her request refused, but Elizabeth added that she did not believe her

¹ Killigrew to Walsingham, 12th July 1574. Record Office.

² See Mary's letters to Fénélon of 15th August and 14th September. Labanoff, vol. iv. pp. 208-221.

sister Queen was sincere in making it, for she had perfect liberty to exercise a much better religion, and with that she ought to be content.¹

From about this time we may observe a gradual change in the religious sentiments of Mary. On her arrival in Scotland she had made every effort to conciliate the Reformers. She delegated to them the sole management of public affairs, she allowed them to ruin the chief of the Catholic nobility, the Earl of Huntly, and she consented to the establishment of a State provision for the Protestant clergy. On her arrival in England she evinced a similar spirit, and she had occasionally listened to the ministrations of Anglican divines, as she formerly had done to the passionate exhortations of Knox. But the persistent refusal of her keepers to allow her the exercise of her own religion naturally led her to cling to it with increasing fervour; and if she eventually became a formidable enemy to Protestantism, we must attribute the fact not to her own inclinations, but to the perverse policy of her enemies. Her imprisonment and outrageous treatment not only impeded the progress of the Reformation in England, but led naturally to a succession of Catholic conspiracies which kept the kingdom in perpetual alarm.

Among the many projects entertained for the liberation of the Scottish Queen, the most remarkable was that of Don John of Austria, the illegiti-

¹ Labanoff, vol. iv. p. 95.

mate brother of Philip II. After his great victory at Lepanto, Don John had undertaken to carve out for himself a kingdom in Northern Africa ; but being thwarted in this scheme by the jealousy of Philip, he subsequently sought and obtained the post of Viceroy of the Netherlands. A handsome person, unrivalled military fame, and a fascination of manner and address which charmed every one with whom he came in contact, were recommendations to which it was believed that the most bigoted of the Hollanders could not remain insensible. If their loyalty to their hereditary sovereign was not wholly extinguished, it might still be revived by the presence of the youthful hero of Lepanto.

But in accepting the government of the Netherlands, Don John had a secret motive which Philip, with all his boasted skill in kingcraft, did not fathom. Mary Stewart was at this time an apparently hopeless captive in an English prison, and she was, as Don John and all good Catholics believed, the true heiress of the English crown. He had triumphed over the infidels of the East, and he had still to subdue the heretics of the West. He would then transport his victorious legions to England, as another Bastard had done before him, and instead of his paltry principality of Tunis, would conquer three kingdoms for himself, with their heiress for his bride. Full of his romantic project, Don John was willing to conciliate the Hollanders

by concessions which satisfied every one except William the Silent. That stern patriot, who aimed from the first at the independence of his country, could not be brought to terms, hostilities broke out afresh, and Don John was in his element once more. He proclaimed on his banners that he would vanquish the heretics as he had vanquished the Turks, and his prophecy was speedily fulfilled. The opposing armies met at Gemblours, well matched in point of numbers; but never, even under the invincible Alva, did the men of the Netherlands sustain so crushing a defeat. In a word, their army was annihilated. The nephew of the Viceroy, Alexander Farnese, whose fame as a commander was one day to eclipse even that of his illustrious uncle, took a prominent part in the action, and contributed essentially to the victory.

The project of Don John could no longer be regarded as an idle dream. It had been cordially approved by the Pope, and it was regarded with just alarm by Elizabeth and her Ministers. Walsingham was sent in haste to the Netherlands; and even that wise and wary Minister seems to have been fascinated on his first interview with the Viceroy. "I never saw," he said, "a gentleman for personage, speech, wit, and entertainment comparable to him."¹ The only person who maintains a provoking silence respecting Don John is the unhappy princess on whose behalf he was willing

¹ Walsingham to Burleigh, 27th August 1578.

to risk his life and his world-wide reputation. Her silence admits of only one explanation. Mary could not but be flattered by the sympathy of so illustrious a champion. But she had been consistently opposed to all schemes involving violence and bloodshed. She had disapproved of the rising of the northern lords and of the dangerous intrigues of Norfolk, and she well knew that any attempt at invasion by her self-constituted champion would, besides involving the country in civil war, most probably induce her keepers to put her to death.

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